

Washington, Tuesday, May 20, 1947

TITLE 3—THE PRESIDENT **EXECUTIVE ORDER 9854**

TRANSFERRING A PORTION OF THE PHOENIX INDIAN SCHOOL RESERVE AT PHOENIX, ARIZONA, TO THE CONTROL AND JURIS-DICTION OF THE VETERANS' ADMINISTRA-

By virtue of the authority vested in me by section 1 of the act of March 3, 1925, 43 Stat. 1212, it is hereby ordered as follows:

The following-described tract of land comprising a portion of the Phoenix Indian School Reserve at Phoenix, Arizona, together with all improvements thereon, is hereby transferred from the control and jurisdiction of the Department of the Interior to the control and jurisdiction of the Veterans' Administration:

Beginning at a point at the northwest intersection of Indian School Road and 7th Street, the said point being within the Phoenix Indian School Reserve, Phoenix, Arizona; thence north two thousand feet along the west side of 7th Street; thence west five hundred and eighty-five feet along a line parallel to Indian School Road; thence south two thousand feet along a line parallel to 7th Street; thence east five hundred and eightyfive feet along the north side of Indian School Road to the point of beginning; containing twenty-seven acres more or less.

HARRY S. TRUMAN

THE WHITE HOUSE, May 16, 1947.

[F. R. Doc. 47-4743; Filed, May 16, 1947; 4:36 p. m.]

EXECUTIVE ORDER 9855

CREATING AN EMERGENCY BOARD TO INVES-TIGATE A DISPUTE BETWEEN THE BINGHAM & GARFIELD RAILWAY COMPANY AND CER-TAIN OF ITS ELIPLOYEES

WHEREAS a dispute exists between the Bingham & Garfield Railway Company, a carrier, and certain of its employees represented by the Brotherhood of Locomotive Firemen and Enginemen, and the Order of Railway Conductors of America, labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions

of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce within the State of Utah to a degree such as to deprive that portion of the country of essential transportation service:

NOW THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160) I hereby create a board of three members, to be appointed by me, to investigate the said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Bingham & Garfield Railway Company or its employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE, May 16, 1947.

[F. R. Doc. 47-4778; Filed, May 19, 1947; 10:44, a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter A-Administration

PART 300-GENERAL

AUTHORITY TO SELL CERTAIN LANDS IN JEFFERSON COUNTY, OREG.

The delegation of authority to the Regional Director of the Farm Security Administration for Region XI (11 F. R. 12221) contained in § 300.17, Part 300 of Title 6 of the Code of Federal Regulations, is hereby revoked and is superseded by the following:

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rks and Forests -Forest Service, Deof Agriculture: Trespass____

ipping oast Guard: Inspec-Navigation: A-Waivers of navi-

nd vessel inspection regulations (2 documents)______3248, 3249 § 300.17 Delegation of authority to State Director of the Farmers Home Administration for Washington and Oregon to sell certain lands in Jefferson County, Oregon. Pursuant to the authority vested in the Administrator of the Farmers Home Administration by the Acting Secretary's Delegation of Authority issued May 2, 1947 (12 F R. 3047) covering certain therein described lands located in Jefferson County, Oregon, and pursuant to the Order of the Secretary issued October 14, 1946 (11 F. R. 12520), It is hereby ordered, That:

(a) Subject to the provisions of this section all of the functions, powers, duties, and responsibilities conferred upon the Administrator of the Farmers Home Administration with respect to said lands and loans for the acquisition and improvement thereof shall be exercised and performed by the State Director of the Farmers Home Administration for the States of Washington and Oregon. In exercise of this authority the State Director shall:

(1) Determine, after certification thereof by the County Committee, which of the lands among those described in the aforesaid delegation of authority by the Secretary are suitable for sale to individual purchasers in furtherance of the purposes of Title 1 of the Bankhead-Jones Farm Tenant Act, as amended.

(2) Subdivide suitable lands into economic family-type farm-management units, which shall have a value, as improved, of not in excess of \$13,000, none of which shall contain in excess of 160 acres of irrigable land, with boundaries conforming as nearly as may be practicable to General Land Office survey boundaries.

(3) Select applicants to purchase said farms in accordance with existing authority and procedures under Title 1 of the Bankhead-Jones Farm Tenant Act, as amended.

(4) Sell said farms to approved applicants at prices based upon the earning capacity values of the farm units, taking into consideration the improvements necessary to make the farm an economic family-type farm and reimbursable construction and water charges and other fixed charges against the land.

(5) Execute conveyances of said land on behalf of the United States which shall recite his determination of suitability of the land as required in this section; shall reserve all of the interest of the United States in the fissionable materials and at least three-fourths of the interest of the United States in all other minerals in or under said lands, provided that all such interests shall be reserved if the State Director finds that minerals or mineral rights in the area have a commercial value; and shall preserve the lien of the United States for reclamation and irrigation charges.

(6) Make loans for the purchase price and for the costs of the improvement of farm units sold under this section and take and service security therefor, in accordance with the applicable provisions of the Bankhead-Jones Farm Tenant Act, as amended, and existing pro-

cedures and instructions of the Farmers Home Administration as nearly as possible, except that:

(i) An option to purchase will not be executed.

(ii) Loan approval will be by the State Director.

(iii) The loan and the borrower's total investment in his farm may exceed the county loan limit but shall not exceed the average value of efficient family-type farm-management units located in Jefferson County, Oregon, as determined by the Secretary of Agriculture (11 F. R. 13611)

(iv) Title insurance will not be required. Title clearance will be effected in accordance with requirements of the representative of the Office of the Solictor and will include a judgment and lien search against the prospective purchaser and procurement of an abstract continuation through a date showing conveyance of the property to the applicant and execution of the mortgage in favor of the United States. The cost of title clearance shall be paid by the applicant.

(b) The functions, powers, and duties authorized in this section may be performed and exercised by the Acting State Director during the absence of the State Director.

(c) The provisions of this section shall take effect immediately and shall remain in effect until revoked or superseded by order of the Administrator. (Acting Secretary's delegation of authority, May 2, 1947, 12 F. R. 3047; Secretary's order, Oct. 14, 1946, 11 F. R. 12520)

Issued this 14th day of May 1947.

[SEAL] DILLAND B. LASSETER,

Administrator.

[F. R. Doc. 47-4685; Filed, May 19, 1947; 8:58 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

EVAPORATED MILK INDUSTRY

TERMINATION OF MARKETING AGREEMENT AND LICENSE 2

On March 8, 1947, notice of proposed rule making was published in the Fen-ERAL REGISTER (12 F. R. 1606) regarding the proposed termination of the marketing agreement (Agreement No. 60) and the license (License No. 100) for the evaporated milk industry, both of which became effective June 1, 1935, pursuant to Public Act No. 10, 73d Congress (48 Stat. 34), as amended, hereinafter referred to as the "act." After consideration of all relevant matters presented and other available data, it is hereby found and determined that the aforesaid marketing agreement and license for the evaporated milk industry will, on and after July 1, 1947, no longer tend to effectuate the declared policy of the act.

It is, therefore, ordered, That the aforesaid marketing agreement and license for the evaporated milk industry be, and the same hereby are, terminated effective at 11:59 p. m., e. s. t., June 30, 1947, subject, however, to the following conditions:

(1) That such termination shall not affect or waive any right, obligation, duty or liability under the aforesaid marketing agreement or license, or release or extinguish any violation of the aforesaid marketing agreement or license, or affect or impair any right or remedy of the United States, the Secretary of Agriculture, or any other person with respect to any such violation which has arisen or occurred or which may arise or occur prior to the time that such termination becomes effective; and

(2) That if, upon the termination of the aforesaid marketing agreement and license, there are any obligations arising thereunder, the final accrual or ascertainment of which requires further acts by any party subject thereto or any committee thereunder, the power or duty to perform such further acts shall continue notwithstanding such termination, and any such acts required, under the terms of the aforesaid marketing agreement and license to be performed by any committee thereunder, shall be performed by the members of such committees, or, if the Director of the Dairy Branch, Production and Marketing Administration, shall so direct, by such other person. persons or agency as the said Director of the Dairy Branch may designate.

It is hereby further ordered, That the Director of the Dairy Branch, Production and Marketing Administration, he, and he hereby is, authorized (1) to exercise the powers and to perform the duties of the Secretary of Agriculture under sections 12, 13, and 14 of Articles III and IV of the aforesaid marketing agreement and sections 9, 10, and 11 of Articles III and IV of the aforesaid license, and (2) upon the termination of the aforesaid marketing agreement and license, to take such other and further action as may be necessary or appropriate to liquidate and wind up the affairs of any committee established thereunder.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Issued at Washington, D. C., this 14th day of May 1947.

[SEAL] N. E. Dodd, Acting Secretary of Agriculture. [P. R. Doc. 47-4637; Filed, May 19, 1947; 8:59 a. m.]

PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

LUSCELLANEOUS ALIENDLIENTS TO APPENDIX

Pursuant to the provisions of § 927.4 (b) of Order No. 27, as amended (7 CFR, 1945 Supp., 927.1 et seq., 11 F. R. 11115) regulating the handling of milk in the New York metropolitan milk marketing area, and of the Administrative Procedure Act (60 Stat. 237) a public meeting was held at New York, N. Y., on February

¹The marketing agreement and the license for the evaporated milk industry have not been filed with the Division of the Federal Register.

25. 1947 to consider certain proposals to amend the rules and regulations, as amended (7 CFR, 1945 Supp., 927—Appendix A, 12 F R. 457) which have been previously issued under said Order No. 27, as amended. Such public meeting was recessed on February 26, 1947 and was reopened and adjourned on March 27, 1947. Following such meeting and on April 16, 1947, the market administrator of said order, as amended, issued the tentative amendment, set forth in Appendix A attached hereto and made a part hereof, to the aforesaid rules and regulations, as amended. Due consideration having been given to the data, views, and arguments presented at said public meeting, the aforesaid tentative amendment to the said rules and regulations, as amended, is hereby approved and shall be effective on and after the 1st day of June 1947.

Order 27, as amended, requires that such rules and regulations, and amendments thereto, shall become effective on the first day of the month following their approval by the Secretary of Agriculture. It further appears that, in accordance with Order 27, the tentative amendment was issued and sent, on or about April 16, 1947, to all handlers op-erating pool plants. It is therefore found and determined that the effective date fixed herein for the said amendment, namely, June 1, 1947, is reasonable and proper in the circumstances and that to defer the effective date of the said amendment to a date thirty days or more after publication in the Federal REGISTER would be impracticable, unnecessary, and contrary to the public in-

Copies of the tentative amendment to the rules and regulations may be procured from the Market Administrator, 205 East 42nd Street, New York, N. Y.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq., 7 CFR, 1945 Supp., 927.1 et seq.)

Done at Washington, D. C., this 14th day of May 1947.

[SEAL] N. E. Dodd, Acting Secretary of Agriculture.

Appendix A—Rules and Regulations Issued by Market Administrator

Amending rules and regulations as previously issued (7 CFR, 1945 Supp., 927—Appendix A, 12 F R. 457)

- 1. Amend paragraph (c) (1) of section 2 by changing the order reference from "§ 927.8 (e) (2) (iii)" to "§ 927.9 (h) (2) (iii)"
- 2. Amend paragraph (h) of section 2 to read as follows:
- (h) Deduct remaining butterfat in the opening inventories or received in forms other than milk, cultured or flavored milk drinks, cream, sour cream, frozen cream, plain condensed milk, sweetened condensed milk milk powder, other concentrated milk products and butter from butterfat in products leaving the plant or in the closing inventories of the plant in which the handler claims to have used such butterfat. Deduct any remaining butterfat in the opening inventories or received in such forms from plant loss.

- 3. Amend paragraph (o) of section 2 to read as follows:
- (o) Deduct remaining butterfat in the opening inventories or received in the form of butier, sweetened condensed milk, milk powder or other concentrated milk products pro rata from the remaining butterfat leaving the plant or in the closing inventories at the plant in the forms of frozen desserts, homogenized mixtures, ice cream powder, or candy products. Deduct any remaining butterfat in the opening inventories or received in such forms from butterfat in products in which the handler claims to have used such butterfat. Deduct any remaining butterfat in the opening inventories or received in such forms from plant loss.
- 4. Amend paragraph (q) of section 2 to read as follows:
- (q) Deduct the butterfat received in form of plain condensed milk pro rata from the classes of butterfat leaving the plant or in the closing inventories at the plant in the form of plain condensed milk. Deduct any remaining butterfat received in the form of plain condensed milk pro rata from butterfat on hand at or leaving the plant in the form of frozen desserts, homogenized mixtures, evaporated milk, sweetened condensed milk, milk powder, other concentrated milk products, or candy products. Deduct remaining butterfat received in the form of plain condensed milk from butterfat in products in which the handler claims to have used such butterfat. If any butterfat received in the form of plain condensed milk remains, it shall be deducted from plant loss and classified as II-B.
- 5. Amend paragraph (x) of section 2 by changing the words "ice cream powder, malted milk powder" to "other concentrated milk products"
- 6. Amend paragraph (aa) of section 2 to read as follows:
- •(aa) Deduct remaining butterfat in the opening inventories or received in the form of frozen cream from butterfat in products in which the handler claims to have used such butterfat. Deduct remaining butterfat in the opening inventories or received in the form of frozen cream from plant loss.
- 7. Amend paragraph (cc) of section 2 by changing the words "ice cream powder, malted milk powder" to "other concentrated milk products"
- 8. Amend paragraph (dd) of section 2 to read as follows:
- (dd) Deduct remaining butterfat received in the form of cream from butterfat in products in which the handler claims to have used such butterfat. If any butterfat received in the form of cream remains, it shall be deducted from plant loss and classified as II-A.
- 9. Amend paragraph (jj) section 2, to read as follows: Delete subparagraph (11) and add new subparagraph (11) as follows:
- (11) Sweetened, part skim, condensed milk, 2.5 percent;

- 10. Amend paragraph (pp) of section 2 to read as follows:
- (pp) Classification of butterfat deducted pursuant to (cc) may be interchanged with the classification of butterfat deducted pursuant to (nn) from the same products covered by (cc) or with the classification of butterfat in the receipts from dairy farmers classified on the basis of the products covered by (cc) Classification of butterfat deducted pursuant to (q) may be interchanged with the butterfat deducted pursuant to (nn) from the same products covered by (q) or with the classification of butterfat in receipts from dairy farmers classified on the basis of the products covered by (q) Provided, That the quantity of butterfat so interchanged shall not exceed any quantity necessary to avoid payments pursuant to § 927.9 (h) of the orders. Such interchange shall be between one or more classes on which payments pursuant to § 927.9 (h) of the orders might be required and one or more other classes, the specific classes to be at the option of the handler.
- 11. Renumber subparagraph (3) of section 3 (b) to (4) and add new subparagraph (3) as follows:
- (3) Classes of butterfat remaining after the assignments pursuant to (2) of this paragraph may be interchanged with classes of butterfat remaining after the assignments pursuant to (d) (3) of this section which are based on the products covered by section 2 (q)
- 12. Renumber subparagraph (3) of section 3 (c) to (4) and add new subparagraph (3) as follows:
- (3) Classes of butterfat remaining after the assignments pursuant to (2) of this paragraph may be interchanged with classes of butterfat remaining after the assignments pursuant to (d) (3) of this section which are based on the products covered by section 2 (cc)
- 13. Renumber subparagraphs (4) and (5) of section 3 (d) to (5) and (6) respectively and add a new subparagraph (4) as follows:
- (4) Classes of butterfat remaining after the assignments pursuant to (3) of this paragraph may be interchanged with classes of butterfat remaining after the assignments pursuant to (b) (2) and (c) (2) of this section in accordance with the provisions of (b) (3) and (c) (3) of this section.
- 14. Delete the next to last sentence in section 4 and insert in lieu thereof the following: "In the event that the opening inventories of any product were also opening inventories for the previous month, the butterfat in such product shall be deducted pro rata from the butterfat in all products and classes leaving the plant from which butterfat in like form could be deducted. If the butterfat in such products leaving the plant is less than the butterfat in such opening inventories, any remaining butterfat in such opening inventories shall be deducted pro rata from the butterfat in all products and classes in the closing inventories at the plant from which butterfat in like form could be deducted."

15. In paragraph (a) of section 5 amend the provision for establishing butterfat tests of milk shipments as follows:

Milk shipped from a plant or received from another plant (no specific tests shall be recognized for milk shipped except for breed milk and other special milk). Average test of all milk received at the shipping plant from farmers except that if the classification or such milk shipments is assigned pursuant to section 3 to milk received from another plant the test shall be the average test of milk received from farmers at such other plant.

- 16. Amend subparagraph (1) of section 5 (c) to read as follows:
- (1) Frozen desserts. The butterfat in a frozen dessert shall be assumed to be the same as the butterfat in the homogenized mixture or other basic mixture used in making such frozen dessert. In addition, the butterfat in cream used to standardize the homogenized mixture or other basic mixture, not to exceed 4 percent of the total butterfat in such mixture, may be included.
- 17. Amend subparagraph (3) of section 5 (c) by changing the first sentence to read as follows: "The butterfat content of such products shall be assumed to be the same as the butterfat of the milk, cream, plain condensed milk or whole milk powder used in making such product if such butterfat content appears reasonable in the light of the butterfat test of the product."
- 18. Add new subparagraph (7) to section 5 (c) to read as follows:
- (7) Malted milk products. The butterfat content of malted milk products shall be assumed to be the same as the butterfat in the products used in making such malted milk products.
- 19. Add new subparagraph (8) to section 5 (c) to read as follows:
- or in the closing inventories at the plant, Butterfat will be considered to have left a plant in the form of frozen cream only if the butterfat is so identified in the handler's records that the source of such butterfat as a receipt of milk from producers can be ascertained. In the event that it is not identified it will be considered to have left the plant or be in the closing inventories at the plant in the form of cream rather than frozen cream.

20. Add new section 7 as follows:

- SEC. 7. Assignment of specific butterfat received or in the opening inventories in the form of frozen cream to the uses of butterfat in the form of frozen cream at the plant. (a) Butterfat received or in the opening inventories in the form of frozen cream shall be assigned to butterfat leaving the plant or in the closing inventories at the plant in the form of frozen cream in accordance with its identification pursuant to section 5 (c) (8)
- (b) Remaining butterfat received or in the opening inventories in the form of frozen cream which frozen cream was obtained from milk received from producers in the months of April through September shall be pro rated to uses of butterfat in the form of frozen cream as

determined pursuant to section 2 (v), (w) (x) (y) (z), and (aa). The total butterfat derived from milk obtained in each of the months shall be pro rated separately.

(c) After the pro-ration pursuant to (b) of this section specific butterfat received from producers in any month may be assigned at the option of the handler or handlers involved to any of the uses to which the total butterfat received from producers in that month is assigned.

Issued this 16th day of April 1947.

C. J. BLANFORD, Market Administrator, New York Metropolitan Milk Marketing Area.

[F. R. Doc. 47-4700; Filed, May 19, 1947; 8:51 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 208—ELIGIBILITY FOR AN ARMUITY
PART 237—INSURANCE ARMUITIES AND LUMP
SUMS FOR SURVIVORS

MISCELLANEOUS AMENDMENTS

Pursuant to the general authority contained in section 10 of the act of June 24, 1937 (Sec. 10, 50 Stat. 314; 45 U. S. C. 228j) § 208.13 and § 237.102 (c) of the Regulations of the Railroad Retirement Board under such act (12 F. R. 859, 2017) are amended by Board Order 47–157 dated April 10, 1947, to read as follows:

§ 208.13 "Any regular employment" defined. "Regular employment" as used in this part and Part 237 of this chapter means full or part time service for remuneration by an individual in the employ of another on a continuing or recurring basis. For the purposes of this section, an individual performing service for remuneration, whether or not under a contract, shall be deemed to be in the employ of another unless such service is performed as a part of his independently established trade, business or occupation; and in the absence of evidence to the contrary, an individual shall be presumed to be regularly employed if he has been paid remuneration by one or more employers (other than an employer under the act) of not less than \$200 in each of two consecutive calendar quarters. (Secs. 1, 2, 10, 50 Stat. 308, 310, 314; as amended by secs. 203, 205, Pub. Law 572, 79th Cong., 45 U. S. C. 228a, 228b, 228j)

- § 237.102 Completely insured status.
- (c) Current connection with the railroad industry. A deceased employee had a current connection with the railroad industry at the time of his death if he had had a period of thirty consecutive calendar months which met certain requirements set out in the act, First of all, that period must have been before any retirement annuity began to accrue to the employee, or before the month in which he died, if that occurred first. Secondly, he must during that period have been in service as an employee in

at least twelve calendar months. A third requirement must have been met if there was any interval between the end of the thirty-month period in question and the month in which a retirement annuity began to accrue to the employee, or the month in which he died, if that occurred first. In that interval the employee must not have been engaged in any regular employment other than employment for an employer; as here used, "regular employment" means full or part-time service, for remuneration, by an individual in the employ of another on a continuing or recurring basis. For the purpose of determining the existence of a current connection, an individual performing service for remuneration, whether or not under a contract, is deemed to be in the employ of another unless such service is performed as a part of his independently established trade, business, or occupation; and in the absence of evidence to the contrary, an individual is presumed to be regularly employed if he has been paid remuneration by one or more employers (other than an employer under the act) of not less than \$200 in each of two consecutive calendar quarters.

Even though the deceased employee had no period of thirty consecutive calendar months which met the requirements discussed above, he may, nevertheless, have had, at the time of his death, a current connection with the railroad industry for the purposes of this part. This will be true if the employee was not fully insured under the Social Security Act, but met all the requirements (aside from that of current connection with the railroad industry) of a completely insured status under paragraph (d) of this section. It will also be true if the employee was neither fully insured nor currently insured under the Social Security Act, but met all the requirements (aside from that of current connection with therailroad industry) of a partially insured status under § 237.103. Finally, it will be true if the employee had no wage quarters of coverage. (Sec. 10, 50 Stat. 314; 45 U. S. C. 228j; interprets and applies sec. 213, Pub. Law 572, 79th Cong.)

Dated: May 9, 1947.

By authority of the Board.

[SEAL]

Mary B. Linkins, Secretary of the Board.

[F. R. Doc. 47-4674; Filed, May 19, 1947; 8:57 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

PART 751—ESTABLISHING THE GENERAL RE-SPONSIBILITIES AND ORGANIZATION OF THE OFFICE OF THE ADLIBISTRATOR, NA-TIONAL HOUSING AGENCY, INCLUDING DELEGATIONS OF FINAL AUTHORITY

DELEGATION OF AUTHORITY TO FIRST ASSIST-ANT ADMINISTRATOR

·Corrected Reprint

§ 751.9 Delegation to First Assistant Administrator. The First Assistant Administrator is hereby delegated the

power to execute war-housing programming documents relating to termination, disposition, and other actions (except transfers of jurisdiction from the National Housing Agency to the War or Navy Departments pursuant to section 4 of the Lanham Act, as amended (54 Stat. 1127, as amended; 42 U. S. C. Sup., 1541) and section 5 of Public Law 137, 77th Congress (55 Stat. 363)) affecting projects constructed or acquired under Titles I and IV of the Lanham Act, as amended, under Public Laws 9, 73, and 353, 77th Congress (Temporary Shelter Acts) (55 Stat. 14, 198, 818) and under Public Laws 671 and 781, 76th Congress, as amended (54 Stat. 681 and 883). (E. O. 9070, Feb. 24, 1942, 3 CFR Cum. Supp.)

Issued this 19th day of April 1947.

[SEAL]

RAYMOND M. FOLEY. Administrator.

[F. R. Doc. 47-3792; Filed, Apr. 18, 1947; 9:06 a. m.]

PART 751—ESTABLISHING THE GENERAL RESPONSIBILITIES AND ORGANIZATION OF THE OFFICE OF THE ADMINISTRATOR, NA-TIONAL HOUSING AGENCY, INCLUDING DELEGATIONS OF FINAL AUTHORITY

DELEGATION OF AUTHORITY TO COMMIS-SIONER AND TO REGIONAL DIRECTORS OF FEDERAL PUBLIC HOUSING AUTHORITY

§ 751.14 Delegation to commissioner and to regional directors of the Federal Public Housing Authority. The Commissioner of the Federal Public Housing Authority and each of the several regional directors of the Federal Public Housing Authority are hereby delegated the power to terminate up to 20 units or up to 5 per cent of the units originally developed, whichever number is smaller, in any one temporary war-housing project constructed or acquired by the National Housing Agency under Titles I and IV of the Lanham Act, as amended (54 Stat. 1125, as amended; 42 U.S.C. Sup., 1521) other than housing converted by the Home Owners' Loan Corporation; Public Laws 9, 73, and 353, 77th Congress (55 Stat 14, 198, 818) and Public Law 781, 76th Congress (54 Stat. 883)

(E. O. 9070, Feb. 24, 1942, 3 CFR Cum. Supp.)

This document shall be effective May 15, 1947.

[SEAL] RAYMOND M. FOLEY. Administrator

[F. R. Doc. 47-4684; Filed, May 19, 1947; 8:58 a. m.]

Chapter VIII—Office of Housing Expediter

PART 851—ORGANIZATION DESCRIPTION IN-CLUDING DELEGATIONS OF FINAL AU-THORITY

DESIGNATION OF ACTING HOUSING EXPEDITER

§ 851.22 Designation of Acting Housing Expediter William E. O'Brien is hereby designated to act as Housing Expediter during my absence on May 16, 1947, with the fitle "Acting Housing Expediter" with all the powers, duties, and rights conferred upon me by the Veterans' Emergency Housing Act of 1946, or any other act of Congress or Executive order, and all such powers, duties, and rights are hereby delegated to such officer for such date.

(60 Stat. 207, 50 U.S. C. App. Sup. 1821) Issued this 15th day of May, 1947.

> FRANK R. CREEDON. Housing Expediter

[F. R. Doc. 47-4683; Filed, May 19, 1947; 8:58 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XXIII---War Assets Administration

[Reg. 14,1 Revocation of Order 4]

PART 8314—DISPOSAL TO NONPROFIT INSTI-TUTIONS AND DISCOUNTS FOR EDUCA-TIONAL OR PUBLIC-HEALTH INSTITUTIONS OR INSTRUMENTALITIES

> DISPOSAL OF HIGH-VOLTAGE X-RAY MACHINES

War Assets Administration Regulation 14, Order 4, July 12, 1946, entitled "Disposal of High Voltage X-Ray Machines" (11 F R. 7775) is hereby revoked and rescinded.

(Surplus Property Act of 1944 as amended (58 Stat. 765, as amended; 50 U.S.C. App. Sup. 1611) Pub. Law 181, 79th Cong. (59 Stat. 533; 50 U. S. C. App. Sup. 1614a, 1614b) and E. O. 9689 (11 F. R.

This revocation shall become effective May 13, 1947.

> ROBERT M. LITTLEJOHN, Administrator

May 13, 1947.

[F. R. Doc. 47-4783; Filed, May 19, 1947; 11:52 a. m.]

[Reg. 14,1 Order 7]

PART 8314—DISPOSAL TO NONPROFIT INSTI-TUTIONS AND DISCOUNTS FOR EDUCA-TIONAL OR PUBLIC-HEALTH INSTITUTIONS OR INSTRUMENTALITIES

DISPOSAL OF PERSONAL PROPERTY TO EDUÇA-TIONAL AND PUBLIC-HEALTH INSTITUTIONS AND INSTRUMENTALITIES

War Assets Administration Regulation 14, Order 7, (§ 8314.57) March 3, 1947, as amended April 1, 1947, entitled "Disposal of Personal Property to Educational and Public-Health Institutions and Instrumentalities" (12 F R. 1805, 2384) is hereby revised and amended as herein set forth.

The War Assets Administrator has determined that there is an urgent need by educational and public-health institutions for various types of equipment, which need in the case of educational institutions has become acute because of an abnormal increase in enrollment in the face of an accelerated obsolescence of existing equipment; that in the case of elementary and secondary educational institutions present facilities are wholly inadequate to provide proper instruction, and existing budgets are insufficient to enable said institutions to purchase the needed equipment; that with respect to public-health institutions a similar situation exists because of increased demands for health services, and the need for suitable equipment is acute.

The War Assets Administrator has further determined that the property which is listed in Exhibit A herein is critically needed by such educational and public-health institutions, that such property is suitable for educational and public-health use, and that it would be of great public benefit to make such property available to said institutions at

a nominal price.

In view of the foregoing considerations the War Assets Administrator finds that the benefit which will accrue to the United States from the use of such property by educational and public-health institutions justifies disposal to them of such property at a nominal price, approximately sufficient to cover the cost of disposition, and that such nominal price should be five (5) percent of the fair value of the property as established by the disposal agency.

Pursuant to the foregoing, it is hereby

ordered that:

§ 8314.57 Disposal of personal property to educational and public-health institutions and instrumentalities. (a) Notwithstanding the provisions of § 8314.9 of this part, disposal agencies, after making such provisions as may be necessary for offerings to priority claimants in accordance with the provisions of Part 8302, are hereby authorized to sell property listed in Exhibit A herein to educational and public-health institutions and instrumentalities, as defined in § 8314.1, whose orders have been approved by the War Assets Administration, at a price equivalent to five (5) percent of the fair value thereof, f. o. b. location.

(b) In considering applications or orders of individual educational institutions or instrumentalities for property listed in Exhibit A, special consideration shall be given to the needs of elementary and secondary educational institutions.

(c) When any of the property listed in Exhibit A herein is or shall be in conflict with any list of property set aside for veterans under § 8302.59 3 as now or hereafter in effect, the provisions of § 8302.59 shall be controlling.

(Surplus Property Act of 1944, as amended (58 Stat. 765, as amended; 50 U.S.C. App. Sup. 1611) Public Law 181, 79th Cong. (59 Stat. 533), 50 U.S. C. App. Sup. 1614a, 1614b), and E. O. 9689 (11 F R. 1265))

This revision of this order shall become effective May 13, 1947.

> ROBERT M. LITTLEJOHN, Administrator

MAY 13, 1947.

¹ 11 F. R. 11505; 12 F. R. 257.

²Reg. 2 (12 F. R. 1985).

⁸ Ref. 2, Order 9 (12 F. R. 3117).

EXHIBIT A

CATEGORIES SUITABLE FOR EDUCATIONAL AND PUBLIC-HEALTH USE

Commodity code classification

31 1211 200_ Steam turbines, mechanical drive, single stage, non-condensing:

- Pumps (used condition).

32 1200 1-) 32 1200 2_{ Generator sets, 125 kw. and under. 32 1200 3_

32 1400 _ Rotary converters.

32 1900 _ Miscellaneous electrical rotating equipment.

32 2100 Switchgear.

32 3000 _ Power conversion equipment (non-

rotating rectifiers).

32 5000 - Secondary distribution equipment and wiring devices.

32 8400

Kitchen cooking appliances.
Food preparation appliances,
household and commercial. 32 8500 _ Food

33 6200 _ Sawing machines (power saws), except sawmills.

33 6300 _ Surfacing machines.

33 6400 Lathes, woodworking, except veneer lathes.

33 6500 _ Jointers, matchers, and molders. 33 6600 _ Mortisers and tenoners.

33 6800- Veneer and plywood machinery, including veneer lathes.

34 0000 - Metalworking machinery.

38 1100 _ Punched card, bookkeeping, tabulating, and accounting machines and collateral equipment.

38 1200 Billing machines, accounting principles, and collateral equipment, except autographic registers.

38 2100 _ Adding machines.

38 2200 _ Calculating machines.

38 5000 _ Duplicating machines.

41 1000 _ Radio broadcast receiving equipment.

41 2000 _ Radio broadcast transmitting apparatus.

Commercial and specialized radio 41 3000 communications equipment, except broadcast.

41 4400_ Object detection apparatus (radar).

41 4500... Radio goniometer equipment and similar apparatus (direction finders).

41 5000 __ Electronic tubes.

41 8000 __ Electronic equipment components and subassemblies.

51 3130__ Boilers, gas fired, 50 hp. 600 p. s. i. 51 3831__ Pumps, circulating, ½ gal. per. min., motor driven.

51 4660. Humidifiers, cabinet type. 51 6000. Cooking and warming equipment, commercial, except electric.

52 2000__ Household mechanical refrigerator units (16 cu. ft. or less, self-contained).

52 3200 __ Commercial reach-in refrigerators, mechanical.
52 8100... Refrigerators, ice, household.
52 8220... Ice refrigeration units, reach-in

refrigerators.

54 3000 Office furniture 54 4200__ School furniture.

54 4300__ Auditorium furniture.

54 5100__ Laboratory furniture.

54 8000 __ Industrial and factory furniture.

56 3100 Telescopes. 56 6000 __ Laboratory research and testing in-

struments and apparatus, optical. 56 7100 __ Magnifiers (including reading

glasses and lenses). 56 7200 __ Compound microscopes.

56 7300 __ Stereoscopic microscopes.

56 7400 ... Petrographic and chemical microscopes.

56 7900_ Magnifying instruments, not elsewhere classified.

56 8000_ Optical elements and assemblies, except ophthalmic, photographic, and projection. CATEGORIES SUITABLE FOR EDUCATIONAL AND PUBLIC-HEALTH USE—continued

Commodity code classification

57 1110 __ Glass stem thermometers, indus-

trial.

57 1150... Solid expansion thermometers. 57-1160... Pressure tub: thermometer systems.

57 1180__ Thermometer accessories.

57 1200__ Electric resistance temperature instruments and accessories.

57 1310__ Pyrometers, electrical type.

57 1320. Pyrometers, radiation type. 57 1330. Pyrometers, thermocouple type. 57 1520__ Hygrometric instruments, hygro-,

scopes. 57 1900 Temperature and hygrometric instruments and accessories, not elsewhere classified.

57 2100 __ Voltmeters and millivoltmeters. 57 2200 ... Ammeters and milliammeters.

57 2500 __ Ohmmeters.

57 2900... Electric quantity instruments and accessories, not elcewhere classified.

57 3100. Pressure measuring instruments (pressure gauges) Bourdon tube, bellows and diaphragm types.

57 3300 ... Barometers. 57 3500 __ Draft gauges.

57 3900 ... Pressure measuring instruments, gauges, and accessories, not else-

where clarsified.

57°4100... Flow and liquid type level instruments, differential pressure.

57 4200 __ Flow instruments, differential pressure, dry type.

57 4300__ Flow ratio instruments.

57 4600 __ Anemometers.

57 4700 __ Area flow meters.

57 4800 Liquid level float instruments. 57 4900__ Flow and liquid level instruments and accessories, not elsewhere classified.

57 5220. Position measuring instruments, electrically operated.

57 5300__ Tachometers.

57 5400__ Timing controls. 57 5500__ Cycle controls.

57 5700 ... Counters.

57 5800__ Dial indicators. 57 5900 __ Mechanical motion, rotation, tim-

ing and cycle instruments, and accessories, not elsewhere classified.

57 7000 ... Control valves and regulators, ex-

cept voltage. 57 8100__ Combination instruments, temperature-pressure.

57 8200__ Combination instruments, tem-

perature-humidity.

57 8700__ Combination instruments, flowtemperature-pressure.
57 8800... Combination instruments, pres-

sure-vacuum.

57 9110 ... Hydrometers.

57 9320 ... Gas analyzers, electrical.

57 9400 ... Combustion controls.

57 9900... Indicating, recording and control-ling instruments and accessories, except watches and clocks, not elsewhere classified.

58 3000 __ Surgical and medical instruments,

except diagnostic (Japanese in-struments only). 58 4360... Sterilizers, bacteriology and labcratory.

58 4990__ Field hospital food carts.

58 5100__ Chemical laboratory apparatus.

58 5200. Laboratory testing instruments and apparatus. 58 5500. Physical chemistry and chemical

physics instruments and apparatus.

58 5600... Physics study apparatus.

58 5700__ Blowers and vacuum pumps, lab-

oratory. 58 5810_ Field hospital laboratory incubators.

58 6000 __ Balances and weights, laboratory.

CATEGORIES SUITABLE FOR EDUCATIONAL AND FUELIC-HEALTH USE—Continued

Commodity code

classification

53 8100 __ Drawing instruments and drafting machines.

58 8210... Tracing papers, transparentized.

53.8300. Drafting acceptories. 58.8400. Slide rules.

58 8700. Surveying instruments. 58 9000. Miccellancour professional and scientific instruments and apparatus.

59 1140. Oxygen breathing apparatus, industrial (front type).

59 2100 __ Mobile and water purification units.

59 2800_ Thermo-compression distillation units.

59 5120 ... Hand fire extinguishers, vaporizing liquid (carbon tetrachloride).

59 5140 ... Hand fire extinguishers, carbon dioxide.

59 5639 ... Fire hose nozzles.

75 1100. Cooking and kitchen utensils, household and commercial.

75 1300... Kitchen tools, except cutlery.
75-4100... Table and kitchen cutlery, house-hold and institutional.

75 4200 Food processing cutlery.

77 ESOO ... Technical and scientific laboratory glacoware.

77 6130__ China and porcelain laboratory ware.

79 7803... Carbon paper.
79 7911... Typewriter ribbons (ink ribbons).
96 5442... Child care equipment units.

86 5450 __ Clinical and infirmary equipment units.

[F. R. Doc. 47-4784; Filed, May 19, 1947; 11:52 a. m.l

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

[CGFR 47-31]

PART 12-REGULATIONS FOR BOARD ON CORRECTION OF MILITARY RECORDS OF THE COAST GUARD

SUPPART 12.01-CENERAL PROVISIONS

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12.01-5 Jurisdiction. 12.01-10 Scope of review.

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Methods of precenting case. 12.01-25

12.01-30 Counsel. 12.01-35 Witnesses.

Expenses.
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12.01-50 Continuances. 12.01-55 Withdrawal.

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12,01-65 Evidence Duties of Government Representa-12.01-70 tive.

SUPPART 12.05-THE ECARD

12.05-1 Members.

12.05-5 Time and place of meeting.

12.05-10 Duties of the Board.

Changes in procedures of the 12.05-15 Board.

12.05-20 Appointing Government Reprecentative.

SUDPART 12.10-ACTION BY THE EGARD

Deliberations.

12.10-1 12.10-10 Findings of facts.

12.10-15 Conclusion. 12.10-20 Decision.

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Sec. 12.10-30 Orders. 12,10-35 Record of proceedings. 12.10-40 Transmittal of record.

> SUBPART 12.15-THE SECRETARY OF THE TREASURY

12.15-1 Action by the Secretary of the Treasury.

SUBPART 12.20-THE RECORDER

12.20-1 Duties of the Recorder.

AUTHORITY: §§ 12.01-1 to 12.20-1, inclusive, issued under section 207, Pub. Law 601, 79th Cong.; additional authority cited at the end of applicable sections.

SUBPART 12.01—GENERAL PROVISIONS

§ 12.01–1 Basis and purpose. Pursuant to the authority of section 207 of Pub. Law 601, 79th Cong., 2d Sess., approved August 2, 1946, regulations are hereby prescribed to provide a procedure to correct any military or naval record wherein it appears that such action is necessary to correct an error or to remove an injustice in accordance with the intent of the statute and to obtain its correct and uniform administration.

§ 12.01-5 Jurisdiction. (a) By virtue of the authority of said section 207 a Board for the Correction of Military Records of the Coast Guard, hereinafter known as the Board, has been established within the Office of the Secretary of the Treasury to review, upon its own motion, or upon request by or on behalf of any officer, or enlisted man or woman, or former officer, enlisted man or woman of the Coast Guard (including its reserve components), or, if deceased, by the surviving spouse, next of kin or legal representative concerned, or if incompetent, by the guardian, petitions for the correction of the military record of the individual where an error exists or an injustice is claimed.

(b) The Board shall not review any case which would bring it into conflict' with the powers and authority of any statutory board, or with the jurisdiction of any other board which has been empowered by the Secretary of the Treasury or the Commandant, U. S. Coast Guard, to take final action in any class of cases. Thus, the jurisdiction will not include review of reports or decisions

(1) Boards of Review.

(i) Of Discharges and Dismissals (Sec. 301, Pub. Law 346, 78th Cong.)

(ii) Retirement Boards and Boards of Medical Survey (Sec. 302a, Pub. Law 346, 78th Cong., as amended by section 302a, Pub. Law 268, 79th Cong.)

(2) Boards for Removal of Disability of Desertion (14 U.S.C. 147)

(3) Retiring Boards (14 U. S. C. 170)

- (4) Examining Boards (14 U. S. C. 18) (5) Coast Guard Personnel Boards (officers 14 U. S. C. 175b)
- (6) Coast Guard Enlisted Personnel Board (14 U. S. C. 185)
- (7) Involuntary Retirement Boards (Sec. 3, Pub. Law 305, 79th Cong.) or (8) Medical Survey Boards (Article
- 3005, Coast Guard Regulations 1940)

§ 12.01-10 Scope of review. (a) The scope of the review shall be to determine whether an error has been made in the Coast Guard records, or whether, under

normal standards of military and naval law, administration and practice, the petitioner has suffered a wrong as the result of an error of omission or commission in his record, or through some manifest injustice in the treatment accorded him, and if so, to correct the record and remove the injustice, subject to the approval of the Secretary of the Treasury.

(b) The Board has no authority to recall any person to active duty or to set aside the findings of a general court-

martial or a general court.

(c) It shall be adequate ground for denial of any application that effective relief cannot be granted or that sufficient basis for review has not been established.

- § 12.01-15 Request for review. (a) The petitioner should submit a written request for a review to the Board (addressed to the Commandant, U.S. Coast Guard (Legal)) Washington 25, D. C., along with such evidence, statements and affidavits as may be necessary to establish his case.
- (b) The request should state in brief:(1) The full name, rank or rating (if enlisted, the serial number should be given) of the person whose record is involved:
- (2) A description of the record sought to be corrected:
- (3) A particular description of the alleged error or injustice sought to be corrected or removed;
- (4) The reason in support of the relief requested:
- (5) What action is desired of the Board:
- (6) Whether the petitioner-desires the review on the basis of the petition and accompanying papers, or whether he desires to appear in person before the Board and/or be represented by counsel;
- (7) If counsel is desired, the petitioner should designate such counsel by name;
- (8) The place to which any notices in connection with the review should be sent.
- (c) Where the petition is presented by a surviving spouse, next of kin, legal representative or guardian, satisfactory evidence of the required relationship or status must be submitted.
- (d) The application shall be executed under oath or shall contain a signed provision that the statements submitted in the application are made with full knowledge of the penalty provided for the making of a false statement.

(e) No request for review will be considered by the Board until the applicant has exhausted all remedies afforded him by existing law or regulation.

(f) An application for the correction of a military record as provided in said section 207 may be refused by the Board on the ground that there has been undue delay in filing the application. (R. S. 161, 35 Stat. 1095 as amended; 5 U. S. C. 22, 18 U. S. C. 80)

§ 12.01-20 Review on own motion. (a) The Board shall not conduct a 'review on its own motion without first transmitting a written notice to the person concerned or, if such person is deceased, to his surviving spouse, next of

kin, legal representative or, if such person is incompetent, to his guardian, by registered mail to the last known address, return receipt requested.

(b) Such notice shall state that a review is to be held by the Board and shall advise the addressees that evidence may be presented to the Board in the manner prescribed in this part.

§ 12.01-25 Methods of presenting case. (a) The petitioner shall present his case:

(1) By letter with accompanying evidence and necessary affidavits, or

(2) If a hearing is granted by the Board, by presenting evidence before the Board, either in person or by counsel.

- (b) Upon application in person at the office of the Board, the Board may furnish to the petitioner or his counsel such information from the official records pertaining to his petition as may be necessary in order to permit of a fair and impartial review. However, classified matter will not be disclosed or made available to the applicant or his counsel. When it is necessary in the interests of justice to acquaint the applicant with the substance of such matter, the Board will obtain and make available to the petitioner or his counsel such summary of the classified matter as, in the judgment of the Board, may be relevant to the case and as will not be incompatible with the public interest.
- § 12.01-30 Counsel. The term "counsel" as used in this part, shall include members of the federal or state bar in good standing, accredited representatives of veterans' organizations, and such other persons who, in the opinion of the Board, are considered to be competent to present equitably and comprehensively the claim of the applicant for review.
- § 12.01-35 Witnesses. (a) All testimony shall be given under oath or affirmation administered by the presiding officer.
- (b) Witnesses shall be subject to examination and/or cross-examination as appropriate, by the members of the Board, the petitioner, his counsel or by the Government, representative.

(c) The testimony of witnesses may be presented either in person or by affidavits. (R. S. 183, 5 U. S. C. 93)

- § 12.01-40 Expenses. No expenses of any nature whatsoever incurred by the petitioner, his counsel, his witnesses, or by any other person on his behalf, shall be paid by the Government.
- § 12.01-45 Notice of hearing. If a hearing is granted, the Board shall give a petitioner at least thirty days written notice of the time and the place of the hearing. Such time shall be computed from the time of mailing of the notice. The petitioner may waive such time limit and an earlier hearing date may be set by the Board.
- § 12.01-50 Continuances. A continuance may be granted by the Board on its own motion, or at the request of the petitioner, his counsel or the Government Representative, when such continuance appears necessary in order to insure a full and fair hearing.

- § 12.01-55 Withdrawal. The Board may, at its discretion and for good cause shown, permit a petitioner to withdraw his request for review without prejudice at any time before the Board makes its final recommendation.
- § 12.01-60 Failure of petitioner to appear. A petitioner who requests a hearing and who, after being duly notified of the time and place of hearing, fails to appear at the appointed time, either in person or by counsel, thereby waives his right to be present and cannot thereafter take exception to the findings or conclusions arrived at in his absence.

§ 12.01-65 Evidence. (a) The Board, in its review, shall consider as evidence all available pertinent records of the Coast Guard, together with such evidence as may be submitted by the petitioner and/or his counsel.

(b) Whenever, during a review, it appears to the Board's satisfaction that the facts have not-been fully and fairly disclosed in the records and in the testimony and other evidence before the Board, the Board may obtain such further evidence as it may consider essential to a fair and impartial understanding of the facts.

(c) The Board shall not be restricted by legal rules of evidence.

- § 12.01-70 Duties of Government Representative. (a) When a Government Representative acts as such before the Board, he may
- (1) Submit to the Recorder of the Board a written brief, when considered warranted, analyzing the evidence presented; or
- (2) In cases where the petitioner is present in person or by counsel, submit pertinent evidence in the Government's behalf in proper documentary form, or through witnesses.
- (b) In all cases, when he has knowledge of evidence which would substantiate the petitioner's claim he shall disclose such evidence to the Board.

SUBPART 12.05—THE BOARD

- § 12.05-1 Members. The Board shall consist of three members, all of whom shall be civilian officers or employees of the Treasury Department.
- § 12.05-5 Time and place of meeting. The Board shall be convened at the call of the Senior Member and shall recess and adjourn at his order. The Board shall sit at a time and place to be fixed by the Senior Member.
- § 12.05-10 Duties of the Board. (a) The Board shall review, on its own motion or upon the request of an officer, or enlisted man or woman, or former officer, enlisted man or woman of the Coast Guard Service, or if deceased, by the surviving spouse, next of kin, legal representative or if incompetent, by the guardian, the records in question.
- (b) In the event a hearing is granted and the petitioner does not appear in person or by counsel, the Board shall review the case on the basis of documentary or oral evidence presented.
- (c) In the event a hearing is granted and the petitioner appears in person or by counsel, the Board shall assemble to hear evidence presented.

(d) After the conclusion of such hearings, the Board shall, as soon as practicable, arrive at their findings, conclusions and decisions. Based thereon, the Board shall prepare such orders as may be indicated.

§ 12.05-15 Changes in procedures of the Board. The Board may initiate recommendations for such changes in the procedure as established herein as may be deemed necessary for the proper functioning of the Board. Such changes will be subject to the approval of the

Secretary of the Treasury.
§ 12.05-20 Appointing Government
Representative. The Board may, if it
appears necessary to the proper presentation of the case, appoint a Government Representative.

SUBPART 12.10-ACTION BY THE EOARD

- § 12.10-1 Deliberations. (a) After a full and fair examination of the evidence, the Board shall deliberate in closed session, and shall be governed in its action by the vote of a majority of the Board.
- (b) No persons other than members of the Board shall be present at or participate in its deliberations, except the Recorder may be present.
- (c) The findings, conclusions, decisions and orders shall be signed by the Senior Member.

(d) In its deliberations the Board shall be guided by the following principles:

- (1) Relevant and material allegations appearing in a specification found proved by a general court-martial (or a general court) and the findings of fact of a court of inquiry, board of investigation, or investigation, where the petitioner was in the status of a defendant or interested party, as approved by the reviewing authorities, shall be presumed by the Board as established facts. This shall not preclude consideration by the Board of evidence appearing in the record of proceedings of such a court-martial (or a general court) or investigative body in determining what correction, if any, should be made in respect to the sentence awarded.
- (2) Relevant and material allegations appearing in a specification to which the petitioner pleaded guilty in a general court-martial (or a general court), or upon being confronted w such a specification the petitioner elected to resign for the good of the service or to accept a discharge, to escape trial by a general court-martial (or a general court) shall be presumed by the Board as established facts unless the petitioner shall show to the Board's satisfaction, or it shall otherwise appear, that arbitrary or coercive action was taken against him at that time, which was not apparent to the reviewing authority from the face of the record.
- (3) The evidence to be considered will be restricted to that covering relevant and material facts concerning the petitioner's Coast Guard service, or his character, conduct, physical condition, or other material matter at the time of his entry into the Coast Guard, during such service, or at the time of separation therefrom.
- (4) In order to warrant a change, correction or modification of an original

record, it is incumbent on the petitioner to show to the satisfaction of the Board, or it must otherwise satisfactorily appear, that the entry or omission in the record was improper or inequitable under normal standards of military and naval law, administration, and practice existing at the time, or under such standards differing therefrom in the petitioner's favor which subsequent to his separation were made retroactive.

(5) The normal standards of military and naval law, administration and practice herein contemplated are those standards stated in statutes, regulations, manuals, directives of the Coast Guard and other appropriate authority, together with interpretations thereof by the courts, the Attorney General, the Comptroller General, the Judge Advocate General of the Navy, the General Counsel of the Treasury Department, or the Chief Counsel of the Coast Guard.

§ 12.10-10 Findings of facts. The Board shall make findings of facts in each case which shall include the following:

lowing:
(a) Type and nature of error of record and/or injustice found.

(b) Authority under which such error of record or injustice occurred.

- (c) Circumstances surrounding the error of record or injustice as found by the Board to be established from all the evidence considered. This includes material and relevant facts showing in what specific particulars the original error or injustice was or was not proper or equitable under normal standards of military and naval law, administration and practice applicable to the case.
- (d) Conduct and character of petitioner during the entire period of his Coast Guard service.
- (e) Such other facts as may be disclosed which the Board deems necessary and pertinent to the issue in the particular case under consideration.
- § 12.10-15 Conclusion. The Board, on the basis of its findings, shall prepare conclusions which shall state:
- (a) Whether or not any change, correction, or modification should be made in the record,
- (b) Where pertinent, the particular change, correction or modification that should be made, and
- (c) The reasons why a change, correction or modification should or should not be made.
- (d) This should not include comments on the actions of others in the Coast Guard Service. Where such comment is warranted, it should be made the subject of an official communication entirely independent of the petitioner's case.
- § 12.10-20 Decision. The Board shall next record its decision. The nature of any change, correction or modification of the record shall be specified with particularity, and such other action shall be taken within the Board's authority as may be deemed necessary to correct insofar as practicable the injustice established.
- § 12.10-25 Minority report. In case of a disagreement between the members of the Board a minority report may be

submitted, either as to the findings of fact, the conclusion, or the decision. The reasons for the minority report must be clearly stated.

§ 12.10-30 Orders. Written orders based on the decision shall be prepared for transmittal to the proper Coast Guard authority.

§ 12.10-35 Record of proceedings. (a) When the Board has concluded its proceedings, the Recorder shall prepare a complete original record thereof. Such record shall include:

(1) The petition,

(2) A summary of the hearing, if any, (3) Affidavits and a list of the papers and documents considered by the Board,

(4) The findings, conclusions, decisions and orders of the Board.

(b) The record will be authenticated by the Recorder as being true and complete.

(c) The record of proceedings of the Board and the action transmitting the record to the Secretary of the Treasury for action shall not contain recommendations of any character which relate to matters beyond the scope of the Board's authority. To the extent that such recommendations are warranted, they should be made a matter for separate communication with the departmental agency having cognizance of the 'subject matter but should not be associated with the records of the petitioner before the Board.

§ 12.10-40 Transmittal of record. The original record of the proceedings in each case shall be transmitted forthwith by the Senior Member of the Board to the Secretary of the Treasury, via the Commandant, U. S. Coast Guard, for final action.

SUBPART 12.15-THE SECRETARY OF THE TREASURY

§ 12.15-1 Action by the Secretary of the Treasury. (a) The Secretary of the Treasury will direct such action in each case as he determines to be appropriate. including the return of the record to the Board for further consideration when deemed necessary.

(b) The procedure of the Board on such further consideration will conform as nearly as practicable to that heretofore prescribed, except that the scope of the action of the Board will be limited to the matters specified by the Secretary of the Treasury in the directive ordering such reconsideration.

(c) The Secretary of the Treasury, after his final action, will return all records to the Board. The Board will notify the petitioner of the action taken in his case, then return all records to the proper Coast Guard authority, for the following administrative acts:

(1) Carry out the orders of the Board in respect to the petition in question.

(2) Place copies of the Board's orders and of the record of proceedings in the service record of the petitioner. A reference shall be made in the copy of the Eoord's report of all enclosures or exhibits which are to be filed elsewhere.

SUBPART 12.20-THE RECORDER

§ 12.20-1 Duties of the Recorder (2) The Recorder is not a member of the Board. He shall:

(1) Carefully summarize the testimony presented at hearings;

(2) Prepare the findings, conclusions, decisions and orders of the Board; and (3) Perform such other duties as may

be assigned to him by the Senior Member. (b) In those instances where the petitioner presents his case by letter and affidavits, the Recorder shall act as the peti-

tioner's representative. As such he shall: (1) Submit pertinent evidence in the petitioner's behalf in proper documentary form, or orally or

(2) Submit a written brief, when considered warranted, analyzing the evidence presented:

E. H. FOLEY, Jr., Acting Secretary of the Treasury. MAY 15, 1947.

[F. R. Doc. 47-4694; Filed, May 19, 1947; 8:51 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service, Department of Agriculture

PART 261-TRESPASS

REMOVAL OF TRESPASSING HORSES IN OCHOCO NATIONAL FOREST AND TEMPORARY CLO-SURE FROM LIVESTOCK GRAZING

Whereas a number of horses are trespassing and grazing on land in the Silver Creek-Buck Mountain Cattle Allotment, Snow Mountain Banger District, Ochoco National Forest, in the State of Oregon;

Whereas these horses are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring national forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35; 16 U. S. C. 551) and the act of February 1, 1905 (33 Stat. 628, 16 U. S. C. 472) the following order for the occupancy, use, protection, and administration of land in the Silver Creek-Buck Mountain Cattle Allotment, Snow Mountain Ranger District, Ochoco National Forest, is issued:

Temporary closure from livestock grazing. (a) The Dairy Creek Unit of the Buck Moun ain subcompartment of the Silver Creek C&H Allotment, Snow Mountain Ranger District, Ochoco National Forest, is hereby closed from June 1, 1947, to May 31, 1948, to the grazing of horses, excepting those that are lawfully grazing on or crossing land in such allotment pursuant to the regulations of the Secretary of Agriculture, or which are used in connection with operations authorized by such regulations, or used as riding, pack, or draft animals by persons traveling over such land.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses found trespassing or grazing in violation of this order.

(c) Public notices of intention to dispose of such horses shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Ochoco National Forest is located.

(30 Stat. 35, 33 Stat. 628; 16 U.S. C. 551,

Done at Washington, D. C., this 14th day of May 1947.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] N. E. Dodd, Acting Secretary of Agriculture. [F. R. Doc. 47-4699; Filed, May 19, 1947; 8:51 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

[CGFR 47-291

Appendix A-Waivers of Navigation and Vessel Inspection Laws and Regulations

MERCHANT CARGO AND TANK VESSELS

CONDITIONAL WAIVER OF MANNING REQUIREMENTS

Pursuant to the authority vested in the Commandant, U.S. Coast Guard, by the act of March 31, 1947 (Public Law No. 27, 80th Congress), I hereby find it necessary in the orderly reconversion of the merchant marine from wartime to peacetime operations to cancel, effective June 1, 1947, the order dated April 8, 1943, as amended, (8 F R. 4736), which conditionally waived certain of the manning requirements with respect to merchant cargo and tank vessels engaged in business connected with the conduct of the war Provided, That nothing herein shall impair the continuing effectiveness of waivers effectuated on or before June 1, 1947 pursuant to said order of April 8, 1943, as amended.

Pursuant to the authority vested in the Commandant, U. S. Coast Guard, by the act of March 31, 1947 (Public Law No. 27, 80th Congress) I find, further, that the waiver of the navigation and vessel inspection laws and regulations administered by the Coast Guard is necessary in the orderly reconversion of the merchant marine from a wartime to normal peacetime basis, to the extent and in the manner and upon the terms and conditions set forth in the succeeding numbered paragraphs.

1. Purpose of waiver It has been determined upon investigation that there is a shortage of experienced and qualified personnel in the merchant marine industry and that as a result of such shortage the masters of merchant cargo vessels and tank vessels engaged in any trade or commerce deemed necessary in the orderly reconversion of the merchant marine from wartime to peacetime operations have been unable to obtain the number of experienced personnel required for their vessels by or pursuant to law or regulation. Therefore, to avoid delays in the sailings of such merchant

¹This affects tabulation contained in 36 CFR, § 261.50.

vessels, to insure that such vessels have on board the best qualified crews available, to provide a simplified and uniform procedure for accomplishing the foregoing and otherwise to further the orderly reconversion of the merchant marine, this Conditional Waiver of Manning Requirements is issued.

2. Vessels affected. All merchant cargo and tank vessels registered, or enrolled and licensed under the laws of the United States shall be considered to be engaged in a trade or commerce associated with the reconversion of the merchant marine from wartime to peacetime operations so long as this Conditional Waiver of Manning Requirements remains in effect, or unless a local representative of the United States Maritime Commission informs the appropriate Coast Guard District Commander or Officer in Charge, Marine Inspection, that a particular vessel or vessels in either of such classes should not be so included. This waiver is inapplicable to all ocean and coastwise passenger vessels and vessels carrying troops.

3. Extent, terms, and conditions of waivers. The master of any cargo vessel or tank vessel engaged in any trade or commerce associated with the reconversion of the merchant marine from wartime to peacetime operation may if such action is necessary to permit such vessel to sail without delay substitute for any licensed officer required as part of the complement of such vessel by or pursuant to law or regulation, any licensed officer of lower rank who is an American citizen or any certificated seaman who is an American citizen, and, may substitute for any rated seaman required as part of the complement any certificated seaman of lower rating provided that any such substitution is within the citizenship requirements established pursuant to law Provided, That (a) the deficiency in complement is not caused by the consent, fault or collusion of the master, owner or any other person interested in the vessel, (b) the master, over a reasonable period prior to the time fixed for the signing on of his crew. makes every reasonable effort to obtain such required licensed officer or rated seaman, (c) the person substituted for such required licensed officer or rated seaman is, in the opinion of the master, the best qualified substitute therefor that the master could obtain, (d) the master is of the opinion that the vessel is sufficiently manned for the contemplated voyage, and (e) the master, prior to departure prepares, executes, certifies, and files with, or sends to the Shipping Commissioner before whom the crew was signed on or, in cases when the crew is not required to be signed on before a Shipping Commissioner, to the nearest Officer in Charge, Marine Inspection, two copies of a report of each substitution made. One copy of such report shall also be submitted to the Collector of Customs at the time when application for clearance is made. In making such report Coast Guard Form 729 shall be used.

4. Penalties. The failure of the master of any vessel departing with a deficiency in the required complement therefor to execute and submit the reports required hereunder, or a false certification

in any such report by such master shall be considered misconduct within the meaning of R. S. 4450, as amended, 46 U. S. C. 239, and shall constitute grounds for suspension or revocation of the license of such master; and shall subject him and the owners to all other penalties provided by law. No penalty shall be imposed as a consequence of any substitution made in accordance with this regulation.

5. Effective date. This order shall be in effect on and after June 1, 1947. Because of the technical character of this revision of regulations, and because of the urgency of providing waiver authority in order to effectuate the orderly reconversion of the merchant marine to peacetime operations, it is found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Public Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest.

(Pub. Law 27, 80th Cong.)

Dated: May 14, 1947.

[SEAL] J. F. FARLEY,
Admiral, U. S. Czast Guard,
Commandant.

[F. R. Doc. 47-4689; Flied, May 19, 1947; 8:59 a. m.]

[CGFR 47-30]

PROCEDURES FOR EFFECTING INDIVIDUAL WAIVERS OF NAVIGATION AND VESSEL IN-SPECTION LAWS AND REGULATIONS

Pursuant to the authority vested in the Commandant, U.S. Coast Guard, by the act of March 31, 1947 (Public Law No. 27, 80th Congress), I hereby find it necessary in the orderly reconversion of the merchant marine from wartime to peacetime operations to cancel, effective June 1, 1947, the order dated July 1, 1943, as amended (8 F. R. 9164) which, subject to certain conditions, waived compliance with navigation and vessel inspection laws with respect to vessels engaged in business connected with the conduct of the war; provided that nothing herein shall impair the continuing effectiveness of waivers effectuated on or before June 1, 1947, pursuant to said order of July 1, 1943, as amended.

Pursuant to the authority vested in the Commandant, U. S. Coast Guard, by the act of March 31, 1947 (Public Law No. 27, 80th Congress) I find, further, that the waiver of compliance with the navigation and vessel inspection laws administered by the Coast Guard is necessary in the orderly reconversion of the merchant marine from a wartime to normal peacetime basis, to the extent and in the manner and upon the terms and conditions set forth in the succeeding numbered paragraphs:

1. An application requesting that a waiver be made effective with respect to a particular vessel may be made by any authorized representative of an agency of the United States Government or any other interested person (including the master, agent, or owner of the vessel involved). Except as provided in paragraph 3, the application shall be in writ-

ing. The application shall be delivered to the Coast Guard District Commander or to his designated representative at the port or place where the vessel is located. In the case of vessels in any port or place of the Canal Zone or in any foreign port or place, the application shall be made to the designated representative of the Commandant at such port or place or if the Coast Guard has not established facllities in such port or place to the nearest designated representative of the Commandant at a port or place where such facilities have been established. Every application shall contain a statement of the particular provisions of law with respect to which waiver of compliance is requested, a certification that the waiver of compliance with such laws with respect to the vessel involved is necessary in the orderly reconversion of the merchant marine, and an outline of the facts upon which such certification is based. The Coast Guard District Commander (or his designated representative, or the designated representative of the Commandant, as the case may be) shall promptly examine every application for the purpose of determining whether the necessity for prompt action is such as to require that the waiver be made effective by him without reference to Headquarters. In any case in which it appears to the Coast Guard officer concerned that reference of the application to Headquarters for action would not delay the sailing of the vessel or otherwise impade the orderly reconversion of the merchant marine, the application shall be so referred. In all other cases such Coast Guard officer shall give immediate consideration to the application and if he reaches the conclusion that urgency of the situation outweighs the marine hazard involved, then such waiver shall be effective in regard to such vessel to the extent and under the circumstances specified by him.

2. The Coast Guard officer making such waiver effective pursuant to paragraph 1 shall immediately prepare, in triplicate, an order setting forth the name of the vessel involved, the laws with respect to which the waiver is effective, the extent to which compliance with such laws is waived, and the period for which the waiver shall be effective. If practicable, one copy of this order shall be delivered to the master of the vessel involved before such vessel sails. In cases where the order is not delivered to the master, it shall be delivered to the owner, operator, or agent of the vessel without delay. One copy of the order shall be transmitted to Coast Guard Headquarters and the remaining copy kept on file.

3. In cases of extreme urgency the application for waiver may be made orally, and if the Coast Guard District Commander or such representative reaches the conclusion referred to in paragraph 1, the waiver shall be effective without further delay, subject to a condition subsequent that the application be reduced to writing and delivered within such period after the date of the oral request as the Coast Guard officer making the waiver effective shall specify in the order.

4. No penalty shall be imposed because of failure to comply with any provision of law the waiver of which has been made effective pursuant hereto. 5. This order shall be in effect on and after June 1, 1947. Because of the technical character of this revision of regulations, and because of the urgency of providing waiver authority in order to effectuate the orderly reconversion of the merchant marine to peacetime operations, it is found that compliance with

the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Public Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest.

(Pub. Law 27, 80th Cong.)

Dated: May 14, 1947.

[SEAL] J. F FARLEY,

Admiral, U. S. Coast Guard,

Commandant.

[F. R. Doc. 47-4690; Filed, May 19, 1947; 8:59 a. m.]

PROPOSED RULE MAKING

FEDERAL POWER COMMISSION

[18 CFR, Part 125]

[Docket No. R-104]

Preservation of Records of Public Utilities and Licensees

NOTICE OF PROPOSED RULE MAKING

May 13, 1947.

- 1. Notice is hereby given of proposed rule making in the above-entitled matter.
- 2. In 1938 the Commission, acting pursuant to authority vested in it by the Federal Power Act, particularly section 301 (a) thereof (49 Stat. 854; 16 U. S. C. 825 (a)), adopted its Order No. 54 prescribing regulations to govern the Prescruation of Records of Public Utilities and Licensees, effective August 1, 1938. These regulations or rules were served upon the affected utilities and licensees, and were published in the Federal Reg-

ISTER (3 F R. 2421-29) they were incorporated in the Code of Federal Regulations (1938 Supplement) as "Part 125—Preservation of Records of Public Utilities and Licenses," Subchapter C of Chapter I, Title 18 of the said Code (18 CFR 125.0-125.2)

3. The rules as promulgated in 1938 were developed after consultation and in collaboration with the Committee on Statistics and Accounts of the National Association of Railroad and Utilities Commissioners. In recent years the foregoing Committee, particularly members of the Commission's staff, acting on behalf of the Committee h 3 conferred on numerous occasions with representatives of public utilities and licensees concerning suggested revisions of the rules of the Commission relating to the preservation of records, it being urged by the utility representatives that the problem of retaining old records was becoming a very burdensome and expensive one. After the study of the matter, the Committee on Statistics and Accounts recommended to the National Association that the retention periods for certain types of records should be revised—the periods shortened in most instances. The suggested revisions were approved by the NARUC at its last convention, November 13–15, 1946, San Francisco, Callfornia.

4. It appearing that it may be appropriate and consistent with the public interest to revise the retention periods for certain types of records of the public utilities and licensees subject to the jurisdiction of the Commission, it is proposed that the Commission adopt and prescribe by rule the modified retention periods recommended and approved by the NARUC. To make effective such periods, it is proposed to amend § 125.2 "Schedule of records and periods of retention," of the aforesaid Part 125 of Title 18 of the Code of Federal Regulations, to provide for changes as follows:

•	Reten	tion period	74	Reten	tion period
Items in present rule to be changed	Present rule	As proposed to be changed	Items in present rule to be changed	Present rule	As proposed to be changed
CORPORATE AND GENERAL	,		CORPORATE AND GENERAL— continued		•
 Capital stock records: (b) Capital stock subscription accounts. Bond records: (a) Registered bond ledgers 	Permanently		15. Vouchers: (a) Paid and cancelled vouchers (1 copy), analysis sheets showing detailed	do	Those relating to charges to plant-permanently,
(a) Registered bond ledgers (b) Stubs or similar records of bonds issued. 5. Proxies and voting lists: (a) Proxies of holders of voting securities.	5 years after redemption.		distribution of charges on individual vouchers and other supporting papers. (b) Original bills and m-voices for materials, serv-	do	Those relating to charges to plant.
Contracts and agreements (See also item 30): (a) Service contracts, such as for management accounting, and financial services.	Permanently	See item 12b (2) if they affect cost of plant; other- wise, 10 years after expi-	ices, etc., paid by vouchers and which should be attached thereto. (e) Paid checks and receipts for payments by vouncher	10 years	permanently; others. 10 years.
(d) Contracts and agree- ments with individual em- ployees, labor unions, com-	3 years after expiration or cancellation.	ration or cancellation.	or otherwise. (d) Authorizations for the payment of specific vouchers.	Permanently	10 years.
pany unions, and other employee organizations rel- ative to wage rates, hours and similar matters. (c) Contracts and agree- ments with employees and	10 years after expira- tion or cancellation.	Do.	16. Accounts receivable (see items 43 and 44 for accounts with customers for electric service and for merchandise sales): (a) Records of accounts re-	do	Do.
associated companies for the purchase or sale of the company's own securities. 12. Journal vouchers and journal entries:	Q		ceivable pertaining to sales of electric plant. (c) Accounting department copies of invoices issued and supporting papers	6 years after payment.	
(b) Material and supplies disbursement and labor distribution records supporting journal vouchers: (1) Affecting operations	6 years	10 years.	which do not accompany the original invoices. (d) Authorization for charges including supporting pa- pers.	do	Do.
and maintenance only. (2) Affecting plant. (Nore, Daily time tickets and material issued tickets may be destroyed at option if the basic information contained thereon is transcribed to other records if such other records are retained in accordance with this instruction.)	· .	10 years if (a) continuing plant inventory records are maintained; (b) chronological distributions appear in work order records or cost ledger; or (c) accounting adjustments resulting from reclassification and original cost studies have been approved by the regulatory commissions having jurisdiction; oth-	18. Insurance records: (b) Records of self-insurance against losses from fire, easyalties, and dam-	10 years	Do.

TA	Reter	ition period		Reten	tion period
Items in present rule to be changed	Presant rule	As proposed to be changed	Items in present ruls to be changed	Present rala	As proposed to be changed
CORPORATE AND GENERAL—con. 21. Tabulating machine records (not including billing machine records): (a) Tabulating or punched cards used in assembling figures to be posted to an account: 1. Where a printed sheet or tape showing voncher number, account number, and amount on each sheet is not preserved: Affecting operations and maintenance only. Affecting plant	6 years	10 years if (a) continuing plant inventory records are mointained; (b) chronological distributions appear in work erders or cost ledger; or (c) accounting edjustments resulting from reclassification and original cost studies have been opproved by the regulatory commissions having jurisdiction; otherwise.	Theaster 20. Cuctomers' service applications and contracts: (b) Applications for electric service used in lieu of contracts. (c) Contracts and card files or other records thereof with customers for chettin service (see also lieur 9 (b)). (c) Contracts or raiss agreements with customers and others for rails of electric merchandice and applicance. (f) Contracts for land of policines, transformers, and other equipment to customers, including receipts for same. (g) Applications and contracts for extension of lines covered by relandable deposits or guarantees of receipts or guarantees of receipts in guarantees of receipts of purchasters and receipts. 30. Meter reading sheets and receipts.	directioned. 3 years after expiration or cancellation. 3 years after sales exprement is discharged. 3 years after expiration of contract or return of equipment. 3 years after entire amount is refunded.	is discharged. 1 year after expiration of contract or return of equipment. 1 year after entire amount is refunded.
(b) Printed sheets or tapes showing the details and summaries of accounting data indicated on the punched cards: Affecting operations and	6 Tears		ing sheets. (c) Supercoded indexes to meter books. 45. Collection reports and records:	d9	service has been discon- tinued. 3 years after supersoded or service has been discon- tinued.
maintenance only.	Permanently	10 years if (a) continuing plant inventory records are maintained; (b) chronological distributions appear in work orders or cost ledger, or (c) accounting from reclassification and original cost studies have been approved by the regulatory commissions	(6) Bill stubs, copics of bills, collection elips, and other records pertaining to collections, summarized or detailed induly or periodic cash reports. (c) Memorandum records of remittances from heal or branch offices. 46. Customers' account adjustments: (a) Detailed records pertaining to adjustments of cus-	3 years, if individual accounts can be felentified; Other-	
PLANT AND DEFRECIATION RESERVE 23. Construction work orders and supplemental records: (b) Authorizations for expenditures for additions to electric plant, including memoranda showing the detailed estimates of cost and the basis therefor. (Including original and revised or subsequent au-	6 years after plant is retired.	otherwise, permanently.	tomors' eccounts for over- charges, undercharges, and other eners, results of which have been tran- scribed to other records. (b) Detailed records of high- bill complaints whether or not resulting in adjust- ments to customers' ac- counts. PAY HOLL AND PERSONNEL HECORDS	feenthied; Other- vice, Gyears.	Do.
thorizations.) (c) Requisitions and registers of authorizations for electric plant expenditures. (d) Completion or performance reports showing comparison between authorized estimates and actual expenditures for electric	6 years	Do.	49. Pay roll records: (b) Records showing the distribution of ralaxies and wages paid to efficers and employees for each monthly, crummonthly, or weekly pay roll perford and summers or recopitulation statements of such	Sce item 12 (b)	See item 12 (b).
plant additions. 4. Retirement work orders and supplemental records: (b) Authorizations for retirement of electric plant, including memoranda showing the basis for determination of cost of plant to be retired and estimates of salvage and removal	do	10 years.	distribution. (c) Time tlekets, time checks, time cards, workmen's reports and other records showing hours worked, description of work, and accounts to be charged. (d) Paid checks, receipts for the cards and accounts for the cards and accounts to the charged.	10 yearsdo	Do.
costs. (c) Registers of retirement work orders. 27. Book or card records showing description, location, quantities, cost, etc., of physical units (or items) of electric plant owned. 28. Maps showing the location	6 yearsPermanentlydo	Do. Until record is superceded or 6 years after plant is retired, provided meriality data are retained. Until map is superceded or	other evidences of pay- ments for carvices rendered by employees. (f) Application and outhor- izations for changes in wage and relary rates, summaries and reports of changes in pay rolls, and challer records.	Q.Le312	Do.
and physical characteristics of production, transmission, and distribution systems of the utility. 29. Engineering records in connection with construction projects: (a) Maps, diagrams, profiles, plans, photographs, records of engineering studies, and similar records in connection with proposed construction projects		6 years after plant is re- tired, provided mortality data are retained.	(b) Pay roll outhorizations and records of outhorized positions. (i) Records of deductions from pay rolls for eschal security taxes. (k) Pensian or annuity pay rolls.	l	Do-
ects: (I) If construction of project results wholly or in part,	do	Until record is superceded or 6 years after plant is retired.			

Thomas In account and	Reten	tion period	Th	9 Reten	tion period
Items in present rule to be changed	Present rule	As proposed to be changed	Items in present rule to be changed	Present rule	As proposed to be changed
PAY ROLL AND FERSONNEL RECORDS—continued 61. Employees' welfare and pension records: (a) Records pertaining to employees' recreational, educational, hospital, bensitated, and similar activities. (1) Supporting entries to operating expenses and other accounts, but not including plant accounts. (2) Supporting entries to plant accounts. (3) Not supporting entries to plant accounts. (4) Supporting entries to plant accounts. (5) Instructions to employees and others: (a) Bulletins or memoranda of general instructions to employees pertaining to accounting, engenering, operating, maintenance, or construction methods and procedure. Note. If copies of instructions covered by (a) above are kept in the general files of the department in which the complete official file is maintained, other copies in the various departments may be destroyed after expiration or cancellation. PURCHASES AND STORES 64. Purchases: (d) Contracts for the purchase of materials and supplies: Contracts for materials used directly in construction. Contracts for other materials and supplies received, issued, and on hand.	Destroy at option	Permanently for major broad changes in accounting practices; for other builetins, memoranda, or general instructions, 6 years after expiration or supersession. 25 years. 6 years.	physicial inventories. OPERATIONS 59. Production: (e) Station and system generation reports. (f) Oil and waste reports. (h) Load curves, temperature logs, coal, and water logs. (i) Gage-reading reports. (ii) Gage-reading reports. (iv) Records of meter tests. (o) Records of transformer inspections, oil tests. Note: Life or mortality study data for depreciation purposes shall be retained permanently. (i) Customers' service: (a) Reports of inspections of customers' premises. (b) Records and reports of customers' service complaints. (d) Records of installed	Permanentlydodo	Do. Do. Do. 25 years. 3 years. 3 years except river flow data collected in connection with hydro-operation shall be retained permanently. Until superseding test but not less than 2 years. 3 years.
			customers' service com-		

5. The amendment is proposed to be issued under the authority granted the Federal Power Commission by the Federal Power Act, particularly sections 301 (a) and 309 thereof (49 Stat. 854, 858; 16 U. S. C. 825 (a) 825 h)

6. Any interested person may submit to the Federal Power Commission, Washington 25, D. C., not later than 30 days from the date of the publication of this notice in the Federal Register, data, views and comments in writing concerning the proposed amendment.

The Commission will consider these written submittals before acting upon the proposed amendment.

[SEAL]

LEON M. FUQUAY, Secretary,

[F. R. Doc. 47-4734; Filed, May 19, 1947; 8:51 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P. & S. Docket 435]

MARKET AGENCIES AT UNION STOCKYARDS, DENVER, COLO.

NOTICE OF PETITION FOR EXTENSION OF TEMPORARY RATES

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S. C. 181 et seq.) the Secretary of Agriculture issued an order on August 20, 1946 (5 A. D. 600) providing for certain temporary rates and charges

for the respondent market agencies for a period ending June 30, 1947.

By petition filed on May 2, 1947, the respondent has requested that the said temporary rates and charges of the respondent market agencies be further extended.

It appears that public, notice should be given of the filing of such petition in order that all interested persons may have an opportunity to be heard in the matter.

Now, therefore, notice is hereby given to the public and to all interested persons of the filing of such petition for an extension of temporary rates and charges.

All interested persons who desire to be heard upon the matter requested in said petition shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Copies hereof shall be served upon the respondents by registered mail or in person.

Done at Washington, D. C., this 14th day of May 1947.

[SEAL]

H. E. REED,

Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 47-4686; Filed, May 19, 1947; 8:58 a. m.]

DEPARTMENT OF LABOR Office of the Secretary

TERMS AND CONDITIONS OF EMPLOYMENT IN MINING INDUSTRY

ORDER APPOINTING SPECIAL BOARD TO CON-SIDER APPLICATIONS FOR APPROVAL OF CHANGES

Pursuant to the authority vested in me by Executive Order 9809, issued December 12, 1946, there is hereby constituted a Special Board consisting of three members selected from the Panel appointed by the President on May 7, 1947. The Special Board shall receive the applications of the Secretary of the Interior for approval of changes in terms and conditions of employment contained in contracts entered into between the Coal Mines Administrator and the United Clerical, Technical and Supervisory Employees of the Mining Industry, Division of District 50, United Mine Workers of America, which have been approved by the Secretary of the Interior and the President of the United Mine Workers of America. The Special Board shall act upon such applications in accordance with the provisions of section 5 of the War Labor Disputes Act. Any order of the Special Board shall, upon approval by the President, be complied with by the Government agency operating the mines under the authority of Executive Order 9728.

I hereby select Lloyd K. Garrison, New York, N. Y., Dr. William Leiserson, Washington, D. C., and Edward F. McGrady, New York, N. Y., to serve as members of the Special Board.

The members of the Board shall serve without compensation but shall be entitled to such expenses and transportation costs as may be determined by me or by an authorized official of the Department to be satisfactory.

The Department shall furnish the Board with stenographic, investigative and other personnel and facilities as may be necessary, and within the limits of available funds, make such other disbursements as are necessary to effectuate this order.

The Special Board shall meet on May 16, 1947, at the Office of the Secretary of Labor in Washington, D. C.

Signed at Washington, D. C., this 10th day of May 1947.

L. B. SCHWELLENBACH, Secretary of Labor.

[F. R. Doc. 47–4680; Filed, May 19, 1947; 8:48 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2910]

COLONIAL AIRLINES, INC.

NOTICE OF HEARING

In the matter of the application of Colonial Airlines, Inc., under sections 401 and 801 of the Civil Aeronautics Act of 1938, as amended, for amendment of certificate of public convenience and necessity for the operation of scheduled

air transportation of persons, property and mail between Massena, N. Y., and Ottawa and Montreal, Canada, and between Burlington, Vt., and Montreal and Ottawa, Canada.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 801 of the said act, that a hearing in the above-entitled matter is assigned to be held on May 22, 1947, at 10 a.m. (daylight saving time) in Room 1508, Department of Commerce Building, 14th Street hetween Constitution Avenue and E Street, N. W., Washington, D. C., before Examiner Paul N. Pfeisfer.

Without limiting the scope of the issues presented by said application, particular attention will be directed to the following matters and questions:

1. Whether the proposed amendment will be in the public interest, as defined in section 2 of the Civil Aeronautics Act of 1938, as amended.

2. Whether the applicant is fit, willing, and able to perform the proposed transportation and to conform to the provisions of the act and the rules, regulations, and requirements of the Board thereunder.

3. Whether the authorization of the proposed transportation is consistent with any obligation assumed by the United States in any treaty, convention or agreement in force between the United States and Canada.

Notice is further given that any person desiring to be heard in this proceeding must file with the Board, on or before May 22, 1947, a statement setting forth the issues of fact or law raised by said application which he desires to controvert.

For further details concerning the proposed amendment and authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., May 14, 1947.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN, Secretary.

[F. R. Doc. 47-4688; Filed, May 19, 1947; 8:59 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-533, G-765]

NORTHERN NATURAL GAS CO.

ORDER CONSOLIDATING PROCEEDINGS AND

FIXING DATE FOR FURTHER HEARING

It appears to the Commission that:
(a) The Commissioner's order entered January 10, 1946, at Docket No. G-533 granted the application filed by Northern Natural Gas Company (Northern Natural) in said proceeding on December 13, 1945, for rehearing and reconsideration of the order of the Commission entered November 6, 1945, dismissing an application for a certificate of public convenience and necessity filed by Northern Natural, such rehearing to be held on

a date to be fixed thereafter by the Commission.²

(b) The Commission's order entered September 17, 1946, consolidated the proceeding at Docket No. G-765 with other proceedings? for the purpose of hearing, and pursuant to said order, after due notice, the consolidated proceedings came on for public hearing at Kansas City, Missouri. Oral argument in lieu of briefs took place before the Commission on March 14, 1947, respecting the matters involved and issues presented by the applications and amendments thereto at Docket Nos. G-747, G-763 and G-765.

(c) The facilities proposed in Docket No. G-533 involve construction necessary to effect delivery of volumes of gas by Northerg. Natural from its Boone-Ames, Iowa, 10-inch pipeline, to Iowa Electric Light and Power Company (Iowa Electric) for use at Boone, Iowa.

(d) The facilities proposed in Docket No. G-765 involve construction necessary to extend Northern Natural's Boone-Ames, Iowa, 10-inch pipeline to Marshalltown, Iowa, with intervening connections to the towns of Colo and State Center, Iowa, and with delivery of the volumes of gas necessary to serve these towns to be made to Iowa Electric.

The Commission finds that:

(1) It is necessary and appropriate in the public interest that the record in the proceeding in Docket No. G-765 be reopened for the purpose of receiving additional evidence with respect to the

*Leave to intervene in the proceeding at Docket No. G-533 was granted to the following:

National Coal Association;

United Mine Workers of America;

Order of Railway Conductors, Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, and Switchmen's Union of North America;

Coal Trade Association of Indiana, Central Illinois Coal Operators Committee, and Illinois Coal Traffic Bureau;

Northern Illinois Trade Association; Iowa Railway Association.

²In the Matter of Mid-Continent Gas Transmission Company, Docket No. G-699; In the Matter of cities Service Gas Company, Docket No. G-729; In the Matter of Northern Natural Gas Company, Docket Nos. G-747 and G-763.

*Leave to intervene in the proceeding in Docket No. G-765 was granted to the following:

Mid-Continent Gas Transmission Company;

pany; Minnesota Natural Gas Company; Minnespolis Gas Light Company; Union Gas System, Incorporated; Western Railroads;

National Coal Association;

United Mine Workers of America; Order of Railway Conductors, Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, Switchmen's Union of North America;

Central Illinois Coal Operators Committee, Illinois Coal Traffic Bureau, Middle States Fuels, Inc., Northern Illinois Coal Trade Association;

Belleville Fuels, Incorporated;

5th & 9th Districts Coal Traffic Bureau; 24 towns and cities in Iowa, Missouri and South Dakota;

Various Chambers of Commerce, Manufacturers Association, etc. public convenience and necessity for the project proposed in said matter.

(2) The reopened proceedings referred to in paragraph (1) hereof may present issues and facts substantially similar to those presented in connection with Docket No. G-533, and referred to in paragraphs (a) and (c) hereof, and good cause exists for consolidating the proceedings for purpose of hearing.

The Commission orders that:

(A) The rehearing heretofore granted Northern Natural in Docket No. G-533 shall proceed in the manner and on the date hereinafter fixed for the taking of such additional evidence as may be presented.

(B) The record in the proceeding in Docket No. G-765 be and it is hereby reopened for the purpose of receiving additional evidence with respect to the public convenience and necessity for the project proposed in said matter.

(C) The reopened proceedings in Docket No. G-765 be consolidated for the purpose of hearing with the proceeding in Docket No. G-533.

(D) A public hearing be held in the consolidated proceedings commencing on June 16, 1947, at 10:00 a.m. (e. d. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

(E) All interveners in the proceedings in Docket Nos. G-533 and G-765 may participate in the reopened and consolidated proceedings in accordance with leave heretofore granted by the Commission.

(F) Interested State commissions may participate in said hearing as provided in the Commission's rules of practice and procedure.

Date of issuance: May 14, 1947.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 47-4691; Filed, May 19, 1947; 8:59 a. m.]

[Docket No. G-867]

NORTHERN NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

Upon consideration of the application filed February 24, 1947, by Northern Natural Gas Company (Applicant), a Delaware corporation having its principal place of business at Omaha, Nebraska, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described facilities, subject to the jurisdiction of the Federal Power Commission:

- (1) 320 miles of 26-inch pipeline from Garden City, Kansas, to Palmyra, Nebraska.
- (2) 47.34 miles of 24-inch loop line from northeast of Palmyra, Nebraska, to Oakland, Iowa, Compressor Station.

(3) 74.28 miles of 24-inch loop line from northeast of Oakland, Iowa, to Ogden, Iowa, Compressor Station.

(4) 42.22 miles of 24-inch loop line from north of Ogden Compressor Station to the Ventura, Iowa, Compressor Station.

(5) 41 miles of 24-inch loop line (3rd line) north of Ventura, Iowa.

(6) 39.45 miles of 24-inch loop line from north of Ventura, Iowa, Compressor Station to Farmington, Minnesota, Regulator Station.

(7) 17.3 miles of 20-inch loop line from Section 27-13-8 to Section 27-16-8, Saunders County, Nebraska.

(8) A new 10,000 horsepower Compressor Station complete with auxiliaries, cooling tower, cooling coils, buildings, and other appurtenances to be located near Garden City, Kansas.

(9) A 3,900 horsepower addition together with other appurtenances and equipment at the Palmyra, Nebraska

Compressor Station.

(10) A 2,700 horsepower addition together with other appurtenances and equipment at the Oakland, Iowa Compressor Station.

(11) An 800 horsepower addition together with other appurtenances and equipment at the Ogden, Iowa Compressor Station.

(12) An 800 horsepower addition together with other appurtenances and equipment at the Ventura, Iowa Compressor Station.

(13) A dehydration plant together with all necessary appurtenances and equipment to be located near Garden City, Kansas.

It appearing to the Commission that: Due notice of the filing of the application has been given, including publication in the Federal Register on March 15, 1947, (12 F. R. 1786) The application and other pleadings filed in this proceeding are on file with the Commission and are open to public inspection.

The Commission orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure (effective September 11, 1946) a public hearing be held commencing on June 16, 1947, at 10:00 a.m. (e. d. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the application and other pleadings in this proceeding.

(B) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure (effective September 11, 1946)

Date of issuance: May 14, 1947.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 47-4692; Filed, May 19, 1947; 8:59 a. m.]

[Project No. 1950]

ELECTRIC POWER CO. OF NEW JERSEY, INC.
NOTICE OF APPLICATION FOR LICENSE

May 14, 1947.

Public notice is hereby given, pursuant to the provisions of the Federal Power Act (16 U.S.C. 791-825r) that The Electric Power Company of New Jersey, Inc., of Trenton, New Jersey, has made application for license for major Project No. 1950 to be located on Delaware River in Sussex and Warren Counties, New Jersey, Pike, Monroe and Northampton Counties, Pennsylvania and Orange County, New York and to consist of a dam with overall length of about 2,340 feet and about 163 feet high at the Tocks Island site approximately 10.5 miles below the mouth of Bushkill Creek, creating a reservoir with storage capacity of about 679,400 acre-feet, with a power-house containing six 24,000-horsepower turbines; a dam with over-all length of about 1.275 feet and about 86 feet high at the Belvidere site approximately one mile above the highway bridge at Belvidere, creating a reservoir with storage capacity of about 38,900 acre-feet, with a powerhouse containing five 11,600horsepower turbines; a dam with overall length of about 840 feet and about 72 feet high at the Chestnut Hill site 2.43 miles above the highway bridge between Easton and Phillipsburg, creating a reservoir with capacity of about 10,-900 acre-feet, with a powerhouse containing five 8,000-horsepower turbines; a 115-kilovolt transmission line connecting the three plants and a 115-kilovolt transmission line for the purpose of transmitting power from the plants; and appurtenant works.

Any protest against the approval of this application or request for hearing thereon, with the reasons for such protest or request, and the name and address of the party or parties so protesting or requesting, should be submitted before June 26, 1947 to the Federal Power Commission at Washington, D. C.

[SEAL]

Leon Fuquay, Secretary,

[F. R. Doc. 47-4693; Filed, May 19, 1947; 9:00 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 737]

Unloading of Lift Trucks at New York, N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of May A. D. 1947.

It appearing, that car B & O 106027, containing lift trucks at New York, New York, on the New York Dock Railway, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) Lift trucks at New York, N. Y., be unloaded. The New York Dock Railway, its agents or employees, shall unload im-

⁴By Commission's order adopted April 1, 1947, Mid-Continent Gas Transmission Company was denied permission to continue to intervene in Docket No. G-765.

mediately car B & O 106027, containing lift trucks, on hand at its Atlantic Terminal, New York, New York, consigned American Stevedores, Inc.

(b) Demurrage. No common carrier by railroad—subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., May 16, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) Provisions suspended. The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby sus-

pended.

(d) Notice and expiration. Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is rurther ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911, 49 U. S. C. 1 (10)-(17) 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. Bartel, Secretary.

[F. R. Doc. 47-4681; Filed, May 19, 1947; 8:58 a. m.]

[S. O. 738]

Unloading of Houses at Kensington, Md.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of May A. D. 1947.

It appearing, that car RI 141733, containing aluminum houses, at Kensington, Maryland, on the Baltimore and Ohio Railroad Company has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) Houses at Kensington, Md., be unloaded. The Baltimore and Ohio Railroad Company, its agents or employees, shall unload immediately car RI 141733, containing aluminum houses, now on hand at Kensington, Maryland, consigned to O. L. Murdock.

(b) Demurrage. No common carrier by railroad subject to the Interstate

Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., May 16, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) Provisions suspended. The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby

suspended.

(d) Notice and expiration. Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911, 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 47-4682; Filed, May 19, 1947; 8:58 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1483]

NATIONAL GAS & ELECTRIC CORP. AND INDUSTRIAL GAS CORP.

SUPPLEMENTAL ORDER RELEASING JURISDIC-TION AND GRANTING AMENDED APPLICA-TION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of May A. D. 1947.

The Commission having issued its findings, opinion and order dated May 9, 1947, granting and permitting to be-

come effective said application-declaration, as amended, including an exemption from the competitive bidding requirements of Rule U-50, subject to the reservation of jurisdiction with respect to the price and interest rate to be paid for the debentures as well as the underwriters' spread and its allocation; and

An amendment to said application-declaration having been filed on May 12, 1947, showing the names of the under-writing firms who will participate in the issue, their address, and the principal amount to be underwritten by each as follows:

Name of underwriter	Address	Amount
G. H. Walker & Co. Estabreak & Co. Henris, Hell & Co. (Inc.). Whiting, Weeks & Stubbs Hayden, Mill'r & Co. H. M. Paycon & Co.	New York, N. Y. Boston, Mass. Chicago, III. Boston, Mass. Cleveland, Ohio. Portland, Maine	

The said amendment having stated further that the price to the company will be 100% of the principal amount thereof, plus interest accrued thereon from April 1, 1947, and the interest rate of said debentures will be 4½% and that the debentures will be offered for sale to the public at a price of 103% of the principal amount thereof plus interest accrued thereon from April 1, 1947, resulting in an underwriters' spread of 3% of the principal amount of said debentures; and

A further hearing having been held and the Commission having examined the record herein and finding no basis for imposing terms and conditions with respect to the prices to be paid to Industrial for said debentures, the interest rate thereon, the underwriters' spread and the redemption price:

It is ordered, That the jurisdiction heretofore reserved with respect to the price and interest rate to be paid for the debentures and also the underwriters' spread and its allocation be, and the same hereby is, released and that said application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[P. R. Doc. 47-4676; Filed, May 19, 1947; 8:57 a. m.]

[File No. 70-1488]

CAMBRIDGE ELECTRIC LIGHT CO. AND CALI-BRIDGE GAS LIGHT CO.

MEMORANDULI OPINION AND ORDER APPROVING APPLICATION AND DECLARATION AND PER-LITTING THEM TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 13th day of May A. D. 1947.

Cambridge Electric Light Company ("Cambridge Electric") and Cambridge Gas Light Company ("Cambridge Gas"),

subsidiaries of New England Gas & Electric Association ("New England") a registered holding company, have filed an application-declaration pursuant to sections 10 and 12 of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder, with respect to an intercompany sale and purchase of a parcel of land, as more fully described below

After appropriate notice a public hearing was held and the Commission having considered the record makes the following findings:

New England, organized under the laws of Massachusetts, is solely a holding company owning investments in fourteen subsidiaries which conduct utility operations and own properties in the States of Massachusetts, New Hampshire, and Maine. It owns all of the outstanding securities of the two applicant companies both of which are organized under the laws of Massachusetts.

Cambridge Electric is engaged solely in the generation, distribution, and sale of electricity at retail in the City of Cambridge and wholesale to the Town of Belmont, both in Massachusetts.

Cambridge Gas is engaged solely in the production, distribution, and sale of gas at retail in the Cities of Cambridge and Somerville, Massachusetts.

Cambridge Electric proposes to acquire from Cambridge Gas for \$154,-388.75 a parcel of land upon which Cambridge Electric proposes to erect a steam generating plant. This land is presently carried on the books of Cambridge Gas at \$56,407.21, which amount is stated to be based upon the average cost of the parcels comprising the gas works land. It is stated that the sale and purchase price of this land was established on the basis of an appraisal made by an independent real estate appraiser. Cambridge Gas proposes to credit its surplus with the profit on the sale of the land in the amount of \$97,921.54, and Cambridge Electric proposes to debit its property plant, and equipment account with the cost to it of \$154,388.75.

The proposal before us, thus, contemplates the transfer of an asset between one entirely owned subsidiary of a holding company and another entirely owned subsidiary of the same holding company at a profit of approximately 175 percent in excess of the cost to the system. For present purposes, we consider both companies to be merely departments of New England and, viewing the system as a whole, the proposed transfer at a profit must be regarded in the nature of a write-up 1 which would be properly classified in Account 107 of the Uniform System of Accounts prescribed for electric utility companies by the Federal Power Commission and recommended by the National Association of Railroad and Utilities Commissioners. Under the circumstances and considering the potentialities of abuse present in the intrasystem profits of the nature involved here (cf. section 1 (b) of the act) we are of the opinion that the proposed transaction should be so modified as to eliminate its inflationary aspects. Accordingly, we will require, as a condition

to our approval of the proposed transaction, pursuant to sections 12 and 10 of the act, that the proposed sale and accusition be consummated only upon the basis of cost to the vendor company.

It is ordered, That the said application and declaration be, and hereby are, approved and permitted to become effective forthwith, subject to the condition that the proposed sale by Cambridge Gas to Cambridge Electric be consumated only upon the basis of cost to the vendor company.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 47-4677; Filed May 19, 1947; 8:57 a. m.]

[File No. 70-1497]

SOUTHERN CALIFORNIA WATER CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 13th day of May A. D. 1947.

Southern California Water Company ("Southern California") a public utility subsidiary company of American States Utilities Corporation, a registered holding company, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder regarding the issuance and sale at competitive bidding of \$5,100,000 principal amount of First Mortgage Bonds, —% Series due May 1, 1977; and

The Commission having by order dated April 28, 1947, granted said application, as amended, subject to the condition that the proposed issuance and sale of bonds should not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order shall have been entered by the Commission in the light of the record so completed and subject further to the reservation of jurisdiction with respect to the fees and expenses in connection, with the issuance and sale of the new bonds; and

Southern California having filed an amendment to its application setting forth the action taken to comply with the requirements of Rule U-50 and stating that pursuant to the invitation for competitive bids, six bids on said bonds by six groups of underwriters headed by the firms set forth below were received:

Underwriting group	Coupon rate	Price to com- pany (percent of prin- cipal amount)	Annual cost to com- pany
Blyth & Co., Inc	Percent 278 278 278 278 278 278 278	101.886 101.779	Percent 2, 7725 2, 7821 2, 7873 2, 7897 2, 7880 2, 8542

The said amendment having stated further that Southern California has accepted the bid of the group headed by Blyth & Co. Inc., as set out above, and that the bonds will be offered for sale to the public at a price of 102.75% of the principal amount thereof, resulting in an underwriters' spread of .67% of the principal amount of said bonds; and

The Commission having examined the record herein and finding no basis for imposing terms and conditions with respect to the price to be paid to Southern California for said bonds, the interest rate thereon, the underwriters' spread and the redemption prices; and the Commission having examined the record with respect to the estimated fees and expenses in connection with said bond issue and the proposed legal fee of Messrs. Davis, Polk, Wardwell, Sunderland & Kiendl, counsel for the successful bidder. and it appearing that the record is incomplete with respect to the legal fees proposed to be paid to Drinker, Biddle & Reath and O'Melveny & Myers, and that jurisdiction should be continued as to such payments, and it further appearing that the other fees and expenses of the company and the legal fees of counsel for the successful bidder are not unreasonable and that jurisdiction with respect to such other fees and expenses should be released:

It is ordered, That the jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding for said bonds under Rule U-50 be, and the same hereby is, released and that the amendment filed on May 13, 1947, to the application herein be, and hereby is, granted, subject, however, to the terms and conditions prescribed in Rule U-24; and

It is further ordered, That the jurisdiction heretofore reserved with respect to the fees and expenses in connection with the issuance and sale of the bonds, including the fees payable to counsel for the successful bidder, except the legal fees of Drinker, Biddle & Reath and O'Melveny & Myers, be, and the same hereby is released, and that as to the legal fees of Drinker, Biddle & Reath and O'Melveny & Myers, jurisdiction be continued.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F R. Doc. 47-4678; Filed, May 19, 1947; 8:57 a. m.]

[File No. 812-492]

FIRST INVESTORS SHARES CORP ET AL.

NOTICE OF APPLICATION, STATEMENT OF ISSUES AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 14th day of May A. D. 1947.

In the matter of First Investors Shares Corporation, American Trustee Share Corporation, Financial Independence Founders Series D Periodic and Fully Paid Plans and The F-I-F Plan Corporation Series XD Periodic and Fully Paid Plans. File No. 812-492.

¹Cf. United States, et al. v. New York Telephone Company, 326 U. S. 638 (1945).

Notice is hereby given that First Investors Shares Corporation (FISC) and American Trustee Share Corporation (American) have filed an application (1) pursuant to section 11 (a) of the Investment Company Act of 1940 for approval by the Commission of the exchange of Diversified Trustee Shares Series E. (Diversified E) without loading charge but subject to certain adjustments for transfer taxes, for Diversified Trustee Shares Series D (Diversified D) held by Financial Independence Founders Series D Periodic and Fully Paid Plans and by The F-I-F Plan Corporation Series XD Periodic and Fully Paid Plans, prohibited by section 11 (c) of the act; (2) pursuant to section 6 (c) of the act for temporary exemption from the provisions of section 14 (a) of the act with respect to a proposed public offering of Diversified E shares, to more than 25 persons, through the said Series D and Series XD periodic and fully paid plans, for the purpose of acquiring a net worth of at least \$100,-000; (3) pursuant to section 17 (b) of the act for an order of the Commission exempting from the provisions of section 17 (a) of the act the proposed purchase by American of underlying securities now held in Diversified D against the surrender of Diversified D shares for the purpose of using such underlying shares as the basis for the issuance of Diversified E shares; (4) pursuant to section 17 (b) of the act for an order of the Commission exempting from the provisions of section 17 (a) of the act the proposed purchase by American of Diversified D shares from said Series D and Series XD periodic and fully paid plans under the proposed plan of exchange and substitution; and (5) pursuant to section 17 (b) of the act for an order of the Commission exempting from the provisions of section 17 (a) of the act the proposed sale or sales by American Diversified E shares to said Series D and Series XD periodic and fully paid plans.

FISC is the successor sponsor and depositor of the said Series D and Series XD periodic and fully paid plans and owns and controls all of the stock of American which is the sponsor and depositor of Diversified D which terminates July 15, 1947, and of Diversified E, which is newly created. The said Series D and Series XD periodic and fully paid plans, as well as Diversified D and Diversified E are registered investment trusts. American is therefore an affiliated person of Diversified D and an affiliated person of an affiliated person of the said Series D and Series XD periodic and fully paid plans and the aforesaid transactions by American to effect the substitution of Diversified E shares for Diversified D shares under such plans are prohibited by section 17 (a) of the act.

All interested parties are referred to said application which is on file in the offices of the Commission for a more detailed statement of the proposed transactions and the matters of fact and law asserted.

The Corporation Finance Division of the Commission has advised the Commission that upon a preliminary exami-

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nation of the application it deems the following issues to be raised thereby, without prejudice to the specification of additional issues upon further examination:

(1) Whether the proposed exchange of Diversified E shares for Diversified D shares should be approved by the Commission in accordance with the provisions of section 11 (a) of the act;

(2) Whether the proposed public offering of Diversified E shares to more than 25 persons, through the said Series D and Series XD periodic and fully paid plans, for the purpose of acquiring a net worth of at least \$100,000, prohibited by section 14 (a) of the act, should be exempted under section 6 (c) of the act as necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the act; and

(3) Whether, for the purpose of exempting from the provisions of section 17 (a) of the act the proposed purchase by American of the underlying securities now held in Diversified D, the proposed purchase by American of Diversified D shares from said Scries D and Series XD periodic and fully paid plans, and the proposed sale or sales by American of Diversified E shares to such plans,

(a) The proposed transactions are reasonable and fair;

(b) The proposed transactions involve overreaching on the part of any person concerned; and

(c) The proposed transactions are consistent with the policy of the said Series D and Series XD periodic and fully paid plans.

It appearing to the Commission that a hearing upon the application is necessary and appropriate:

It is ordered, Pursuant to section 40 (a) of said act, that a public hearing on the aforesaid application be held on May 26, 1947, at 10 a. m. eastern daylight-saving time, Room 318 in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That William W Swift, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing and any officer or officers so designated to preside at any such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to hearing officers under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the said applicants and to The Pennsylvania Company for Banking and Trusts, trustee for said Series D and Series XD periodic and fully paid plans, and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors. Any person desiring to be heard or otherwise desiring to participate in said proceedings should file with the Secretary of the Commission, on or before May 23, 1947 his application

therefor as provided by Rule XVII of the Rules of Practice of the Commission, setting forth therein any of the above issues of law or fact which he desires to controvert and any additional issues he deems raised by the aforesaid application.

By the Commission.

[SEAL] ORVAL L. DuBois, Secretary.

[F. R. Doc. 47-4975; Filed, May 19, 1947; 8:57 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

Authorit: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 69 Stat. 59, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9557, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9783, Oct. 14, 1946, 11 F. R. 11921

[Vesting Order CE 384]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken:

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Columr 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR Cum. Supp., 503.6)

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

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Exhibit A

Column 1	Column 2	Column 3	Column 4
Name	Country or territory	Action or proceeding	Sum veste
laudia Chapalena Touralilee	France	Item 1 Estate of Antonin Chapal, deceased, Surrogate's Court, Nassau County, N. Y Item 2	\$165
		Same	165.
mone Bardinon	đo	Same	165
fartha Pichard	do	Same	165
dette Pichard	do	Same	165
laude Pichard	do	Same	163
lice Patola	ob:	Samo	163
asil Narischkine	do	Item 8 Estate of Sarah Levick Narischkine, deceased. Surrogate's Court, New York County, N. Y. Docket No. 0/2199, 1945. Item 9	3:
ene Nielsen		Estate of Peter Nielsen. Surrogate's Court, Kings County, N. Y. Docket No. 4532/40.	1/
ertine Lundelene Madsen		Same	
aric Christensen		Same	
eter Nielsen	do	Same	
ans Nielsen	do	Same	
ouise Jergensen	do	Ilem 16 Same	Q
njes Szentgyergyi or his wife and issue, names unknown.	Rumania	Estate of Helen Cznak, deceased. Surrogate's Court, Bronx County, N. Y. Index No. 28/1946;	3
lbert Szentgyergyi	do	Same	3
orris Schmuckler	Poland	Hem 18 Estate of Frank Schmuckler, deceased. Surrogate's Court, Kings County, N. Y. Docket No. 8729-1941. Hem 19	4
enrictte Albertina Van Roijen	Holland	Charles William Cox, individually as trustee under the fifth clause of the last will and testament of Kate W. Winthrop, deceased, of the trust therein created for the benefit of Grenville Lindall Winthrop, and as executor of the last will and testament of Grenville Lindall Winthrop, deceased, plaintiff, against Robert Winthrop, Emily Winthrop Miles, Kate Winthrop Morse, John Kean, and others, defendants. Supreme Court, Westchester County, N.Y. Index No. 3670-1944. **Item 20**	3
n Herman Robert Dudley Van Roijen	đo	Same	3
nneDigna Van Roijen	do	Same	3
illiam Jeris John Winthrop Van Roijen	do	Same	3

[F. R. Doc. 47-4708; Filed, May 19, 1947; 8:52 a. m.]

[Vesting Order CE 385]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CONNECTICUT COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are

determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning

prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Allen Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director.

Exmert A

Column 1	Column 2	Column 3	Column 4
Name	Country or territory	Action or proceeding	Sum vested
		Rers t	
*Alex Dittmann	Poland	Estate of Florence Dittman, deceased. Probate Court, District of Berlin, New Britain, Conn. **Rem 8**	\$82.00
Sarafinos Belomyzy	qa	Estate of Alexander Belomyzy, also known as Alex Belomyzy, deceased. Probate Court, Dictrict of Derby, Ansenia, Conn.	52.60
		Iten S	
Amelia Staciunas	Lithuania	Ectate of Stantey Stanfunas, also known as Stanfelovus Stauenas, deceased. Probate Court, District of Derby, Amenia, Coun.	23.00
Joseph Stasiunas	do	Iten 4	26.60
		Itera 5	
Heirs within Russia of John Kovalchuck, deceased.	Russia	Estate of John Kovalchuck, deceased. Probate Court, District of Berlin, Nov. Britain, Conn. Item 6	112.00
Lucy Spitzmuller	Austria	Estate of Helena V. Otts, deceased. Probate Court, District of Pominet, Conn.	541.00

[F. R. Doc. 47-4709; Filed, May 19, 1947; 8:52 a. m.]

[Vesting Order 8817] TOYOKA NOZAKI

In re: Debt owing to Toyoka Nozaki. D-39-19046-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Toyoka Nozaki, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to Toyoka Nozaki by the Superintendent of Banks of the State of California and Liquidator of The Yokohama Specie Bank, Ltd., Los Angeles Office, % State Banking Department, 111 Sutter Street, San Francisco, California, in the amount of \$460.10, as of December 31, 1945, arising out of Fixed Deposit Certificate Number 67695, together with any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been

made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director.

[F. R. Doc. 47-4701; Filed, May 19, 1947; 8:51 a. m.]

[Vesting Order CE 386]

Costs and Expenses Incurred in Certain Actions or Proceedings in Certain Delaware, Massachusetts, New Jersey, and New York Courts

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative

action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Allen Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director. 3260 - NOTICES

Ехнівіт А

		Ехивіт А	-		
Column 1	Column 2			Column 5	Column 6
Name	Country or territory	Action or proceeding	Property	Depositary	Sum vested
Eugene Charles Lagneau	France	Item 1 Security Trust Co., executor u/w of Anne Marie Lagneau, deceased rs. Karline Olsen Baardsen et al. Court of Chancery in and for New Castle County, State of Dela-	\$568.06	Wilmington Trust Co., Wilmington, Del., account No. 6126.	\$68.07
Clemence Adele Thomas	do	ware. Item 2 Same	<i>2</i> 68.06	Same account: No. 6127	68.00
Andre Alphe Lagneau	do	Same	568.06	Same account: No. 6128	68, 0
Louise Adele Legendre	do	Same	568.06	Same account: No. 6129	<u>→ 68.00</u>
Beretina Olson Larsen	Norway	Same	279.48	Same account: No. 4165	33, 5
Karline Olson Baardsen	do	Same	_ 279.48	Same account: No. 5530	33. 57
Martina Berensen	do	Same	279.48	Same account: No. 3019	33. 57
Yenta Zemilmacher	Russia	Item 8 Estate of Annie Lyons, deceased, Suffolk County, Probate Court, Boston, Mass. Docket No. 308161.	2, 126. 67	First Judge of Probate, for County of Suffolk, Boston, Mass.	78.00
Chia Krechmar	do	Same	2, 126. 67	do	78.00
Rizzie Zemilmacher	do	Same	531.67	do	19.00
Sarah Zemilmacher	do	Same	531.67	do	19.00
Bella Capren	do	Item 19 Same	319.00	do	12.00
Aaron Krechmar	Poland	Same	531.67	do	19.00
David Krechmar	do	Same14	531.67	do	19.00
Morris Kreehmar	do	Same	531, 67	do	19.00
Yenta Rosen	Russia	Same	531.67	do	19.00
Borach Sosno, Munik Sosno, Rachel Sosno, Sarah Sosno,	Belgium	Same17	1, 595. 00	do	. ts. o
and Yenta Sosno. Josef Sanda	Czechoslovakia	Item 18 Estate of Frank Sanda, deceased, Essex County, Orphans' Court, Essex County Court House, Newark, N. J.	866.88	Moe M. Fast, Esq., executor, 60 Park Pl., Newark 2, N. J.	60.6
Marie Solc	đo	Same	866. 89	do	20.0
Hedrika Horak	đo	Same	866. 89	do	50. 60
Ruzena Sanda	do	Same	866. 89	do	
Barbara Staller	Austria	Same	866.88	-,do	
Max Stross or Adolph Stross	Italy	Ltem 23 Estate of Ludwig Stross, deceased, Bergen County Orphans' Court, Bergen County Court House, Hackensack, N. J.	59, 579. 30	Bergen County, Surrogate, Bergen County Courthouse, Hackensack, N. J.	176.0
Vittorio De Castro	do	Hem 24 Estate of Ludwig Stross, deceased, Bergen County Courthouse, Hackensack, N. J.	1, 103. 32	do	
Guido De Castro	do	Same	1, 103. 32	d≬	. 5.0
Paul Stross	Czechoslovakia	Item 28	19,859.77	do	. 68.0
Helene Kocholata	do	Same	19, 859. 77	do	. 83.00
Vera Brumlik	do	Same	9, 929. 81	do	29.0
Otto Lewit	đo	Same	3, 309. 96	do	10.00
Viktor Lewit	do	Same	3,309.96	đo	. 10.00
Marie Weiss	Belgium	Same	3, 309, 98	do	10.0

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Name	Country or territory	Action or proceeding	Property	Depositary	Sum vested
		Ilen St			
Alice Gattegno	France	Estate of Ludwig Strees, decessed, Bergen County Courthouse, Hockensock, N. J.	\$3,209.96	Bergen County, Surrogate, Bergen County Courthouse, Hackensack, N. J.	\$ 10.00
Helen Amaraggi	do	Same	3,200.96		10.00
Louis Pilz	Austria	Same	9,623.83	Bankers Trust Co., Trustee, 16 Wall St.,	29:00
Mananne Beck	do	I(ct: 35	i	New York, N. Y.	29.00
		-Hera SS			
Mabelle Densmore	France	Estate of Emmet Densmore, dec'd. Surro- gate's Court, New York County, New York Docket No.	114,000.00	Almon C. Kellogg, 60 Broad St., New York, N. Y., trustee.	210.00
		Hera ST			
Sophia Karras	Greece	Estate of Nick Carras, of k/a Nicholas Karras, decased, Surregate's Court, Kings County, New York, N. Y., file No. 7913/1943.	1200.00	Kestis Karras, 51 Clark St., Breeklyn, N. Y., edministrator.	26.(0
Maria Karras	do	Same	1900.00	do	26.00
		Ilem 39		,	20200
Frank Labuta, his heirs at law, devisees, grantees, next of kin issue, legatees, and personal representatives whose names are unknown.	Czechoslovakia	Estate of Wenzel or William Labuta, de- ecased, Hudson County, Orphans' Court, Jersey City, N. J.	231.80	John H. Gavin, Surrogate of Hudson, County, Hudson County Courthouse, Jersey City, N. J.	35.(0)
are diffusion.		Hem 49			
Susie Tomasula	do	Estate of John Tomasula, deceased, Surrogate's Court, Union County, N. J.	430.22	Anna Vircik, 115 Main St., Elizabeth, N. J., general administratrix.	62.00
Eusie Balogh	do	Samo llen 41	22.15	do	42.00

¹ Approximate.

[F. R. Doc. 47-4710; Flied, May 19, 1947; 8:52 a. m.]

[Vesting Order 5008, Amdt.] ANNA M. HESSE

In re: Estate of Anna M. Hesse, deceased, and trust created by order of Court dated November 10, 1944 in the matter of the estate of Anna M. Hesse, deceased. File D-28-8149; E. T. sec. 9092.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, Vesting Order 5008, dated June 7, 1945, as affirmed by \$500.41 as amended, of the Rules, Office of Alien Property, Department of Justice (11 F R. 14155) is hereby amended to read as follows:

It is hereby found:

1. That Mathias Kiemes, Elizabeth Liesch and Veronica Vatheuer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the nephews and nieces, names unknown, of Anna M. Hesse, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatso-ever of Mathias Kiemes, Elizabeth Liesch, Veronica Vatheuer and nephews and nieces, names unknown, of Anna M. Hesse, deceased, and each of them, in and to the estate of Anna M. Hesse, deceased, and in and to the trust created by

order of the County Court of Cass County, Nebraska, entered on November 10, 1944 in the matter of the estate of Anna M. Hesse, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by Estella L. Rutherford, as executrix and trustee, acting under the judicial supervision of the County Court of Cass County, Nebraska; and it is hereby determined:

5. That to the extent that the above named persons and nephews and nieces, names unknown, of Anna M. Hesse, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it having been and being deemed necessary in the national interest.

There is hereby vested the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein and in said Vesting Order 5008 shall have and had the meanings prescribed in section 10 of Executive Order 9095, as amended by Executive Order 9193.

Executed at Washington, D. C., on May 6, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,

Director.

[F. R. Doc. 47-4707; Filed, May 19, 1947; 8:52 a. m.]

[Vesting Order CE 387]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CONNECTICUT, MASSACHUSETTS, AND NEW JERSEY COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken:

- 3. That as a result of such action orproceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's
- 4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;
- 5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of

said Exhibit A opposite such action or proceeding:

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on May 14, 1947. _

For the Attorney General.

DONALD C. COOK, Director.

EXHIBIT A

		A, TIBIHXA			
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Name	Country or terri- tory	Action or proceeding	Property	Depositary	Sum vested
		Item 1			
Adelaide Piacentini	_Italy	Estate of Carlo Piacentini, deceased, Court of Probate, District of Hartford, State of Connecticut. Item 2	\$100	Giacunto Piacentini, executor 108 New Britain Ave., Hartford, Conn.	\$25.00
Francesco G. Princi and Maria Princi.	do	Estate of Cosmo Princi, deceased, Probate Court, District of Waterbury, State of Connecticut. Item 3	Approximatly \$378.50	Joseph C. LaPorta, administrator, 67 Holmes Ave., Waterbury, Conn.	54.00
Joshua Crane	do	Trust u/w of Annie E. Crane, deceased, Norfolk County, Probate Court, Ded- ham, Mass.; No. 98051.	Income of trust u/w of Annie E. Crane, deceased.	State Street Trust Co., State and Congress Sts., Boston, Mass., Trustee.	75.00
Rosalle Agnes Sanarica	do	Item 4 Trust u/w of Lucius F. Paulint, deceased, Probate Court, Middlesex County, Mass.; No. 143230. Item 5	Income from trust under will of Lucius F. Paulint, de- ceased.	Union National Bank of Lowell, Mass., trustee.	81,00
Romolo Quazza	do	Estate of Efisio Maronpot, deceased, Passale County Orphans' Court, Passale County, N. J.	\$261.39	John McNaughton, surrogate and clerk of the Passate County Orphans' Court, Paterson, N. J.	22.00
Vincenzo Quazza	do	Item 6 Same	\$261.39	do	22,00
Emma Piana	do	Same	\$261.39	do	22.00
Quido Maronpot	do	Item 8 Same	\$112.02	do	9.00
Falmini Maronpot	do	Item 9 Same	\$112.02	do	9.00
Secondina Maronpot	do	Item 10	\$ <u>1</u> 12.02	do	9.00
		Item 11		/	} .
Olelia Fiorillo	do	Estate of Gloma Gould Barker, deceased New Jersey Prerogative Court, Trenton, N.J.	\$10,000	Guaranty Trust Co., of New York, 140 Broadway, New York, N. Y., Wallaco MacFarlane Barker, P. O. Hox 1351, Phoenix, Ariz., Kingdon Gould, 39 Broadway New York, N. Y. executors.	80, 00

[F. R. Doc. 47-4711; Filed, May 19, 1947; 8:52 a. m.]

[Vesting Order CE 388]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN PENNSYLVANIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law. after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name:

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said

Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

ESEAL 1

DONALD C. COOK, Director Exminit A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Augusta Koehler	Poland	Item 1 Estate of Helana Schmenhilz, deceased. Orphans' Court of Philadelphia County, Philadelphia, Pa.; No. 2139 of 1944. Item 2	\$ \$3.00
Heirs, next of kin, legatees and distributees of Anna Bata, deceased, within Czechoslovakia.	Częchoslovakia	Estate of Anna Bata, deceased. Orphans' Court of Dauphin County, Harrisburg, Pa., No. 24 of 1943. Ilem 3	87.CG
Panagiotia Polychronopoulos	Greece	Estate of Panagistis Polychronopoulos, a minor. Orphans' Court of Phila- delphia County, Philadelphis, Fa., No. 23 of 1924.	25.60
Anna Holtzman	Austria	Hers 1 Estate of Sucana Welf, deceased. Orphans' Court of Philadelphia County Philadelphia, Pa., No. 1163 of 1945. Hera 5	19.60
Henrietta Knaus	do	Same	12.00
George Rudo (Rudau)	Romania	Estate of Vilma Rudo, deceased. Orphans' Court of Philadelphia County, Philadelphia, Pa., No. 1717 of 1945.	121.00

[F. R. Doc. 47-4712; Filed, May 19, 1947; 8:52 a. m.]

[Vesting Order 8847]

TATSUO OHKI AND JUNICHI N. IWAKAMI

In re: Debts owing to Tatsuo Ohki and Junichi N. Iwakami, also known as J. N. Iwakami. D-39-9780-E-1, D-39-4809-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tatsuo Ohki and Junichi N. Iwakami, also known as J. N. Iwakami, each of whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan)

2. That the property described as follows:

a. That certain debt or other obligation owing to Tatsuo Ohki by the Superintendent of Banks of the State of California and Liquidator of The Yokohama Specie Bank, Ltd., Los Angeles Office, c/o State Banking Department, 111 Sutter Street, San Francisco, California, in the amount of \$913.40, as of December 31, 1945, arising out of a commercial checking account entitled Tatsuo Ohki, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Junichi N. Iwakami, also known as J. N. Iwakami, by the Superintendent of Banks of the State of California and Liquidator of The Yokohama Specie Bank, Ltd., Los Angeles Office, c/o State Banking Départment, 111 Sutter Street, San Francisco, California, in the amount of \$1,927.46, as of December 31, 1945, arising out of a commercial checking account entitled J. N. Iwakami, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy county (Japan),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,

Director.

[F. R. Doc. 47-4702; Filed, May 19, 1947; 8:51 a. m.]

[Vesting Order CE 389]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CONNECTICUT COURTS

Under the authority of the Trading with the Enemy Act, as amended, Execu-

tive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alten Property, § 501.6 (8 CFR, Cum. Supp. 503.6).

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,

Director.

No. 99-4

EXHIBIT A

Column 1	Column 2	Column 3	Column 4
Name	Country or territory	Action or proceeding	Sum vested
		Item 1 -	
Natalie Patti	Italy	Estate of Natale Turrisi, deceased, Probate Court, District of New London,	\$59.00
		Item 2	
Maria Grazia Pennachio, also known as Graziella Piras-Castelli.	do	Trust under the will of Stanley Dwight, deceased, Probate Court, Now Haven County, Conn.	281.00
	Γ	Item 3	
Children of Batista Bellangero, names unknown	do	Estate of Costantino Bellangero, also known as Constantino Bellangero, also known as Bellangero Costantino, deceased, Probato Court, District of Berlin, New Britain, Conn. Item 4	- 105,00
Felencina Chiesa Doc (married name unknown)	do	Same. Item 4	21.00
Ernest Chiesa	đo	SameS	21,00
	,	Item 6	21.00
Emilio Audrea Bonesi	do	Estate of Giacomo Bonesi, also known as Jacob B. Jones, deceased, Probate Court, District of Bridgeport, Conn.	125.00
Pietro Bonesi	do	Item 7	125.00
Maria Bonesi	đo	Item 8	125.00
		Tiem Q	120.00
Heirs, domiciliary personal representatives, next of kin, legatees and distributees of Giacomo Rossi, late of Cattaeggio, in the Province of	do	Same	125.00
Sandria, Italy. Luigi Bonesi	đo	Item 10	108.00
		Ilem 11	125.00
Maddalina Bonesi	do	Same.	125,00
Cesare Taeggi	do	Item 12 Same	125.00
Domenica Taeggi	đa.	Ilem 13	400.44
Domenica Taeggi	av	Item 11	125.00
Maria Guiseppa F. Muro	do	Estate of Alfonso Franco, deceased. Probate Court, District of Greenwich,	82,00
	٦.	Conn.	C21 00
Vitantonio Franco	do	Same	82,00

[F. R. Doc. 47-4713; Filed, May 19, 1947; 8:52 a. m.]

[Vesting Order 8905]

SHUNICHI MURATA

In re: Debt owing to Shunichi Murata, also known as S. Murata. D-39-8723-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Shunichi Murata, also known as S. Murata, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan),

2. That the property described as follows: That certain debt or other obligation owing to Shunichi Murata, also known as S. Murata, by the Superintendent of Banks of the State of Califòrnia and Liquidator of The Yokohama Specie Bank, Ltd., Los Angeles Office, c/o State Banking Department, 111 Sutter Street, San Francisco, California; in the amount of \$1987.29, as of December 31, 1945, arising out of a commercial checking account entitled S. Murata, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same.

1

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being déemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

May 6, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, Director

[F. R. Doc. 47-4703; Filed, May 19, 1947; 8:51 a. m.]

[Vesting Order CE 390]

COSTS AND EXPENSES INCURRED IN CERTAIN Actions or Proceedings in Certain NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law. after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-accupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative Executed at Washington, D. C., on raction or proceeding identified in Column 3 of said Exhibit A opposite such person's

name, and such measures having been taken.

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name:

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings,

costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interest in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on May 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,

Director.

Exhibit A							
Column 1 Column 2 Name Country or territory		Column 3 Action or proceeding	Column 4 Property	Column 5 Depositary	Column 6 Sum vested		
Filomena Guzzi	Italy	Iten 1 Estate of Bruno Vincelli, deceased, Surrogate's Court, Kings County, N. Y., Docket No. 1829-23.	600.00	Treatmer of the City of New York, Mu- nicipal Bidg., New York, N. Y.	\$14.00		
Marie Fiorentina	do	Same	681. 12	do	11.00		
Concetta Graziano	do	Same	೧೧೪೮೩	do	10.00		
Stefano Laricchiuta	do	Item 4 Estate of Dominick Laricchiuta, deceased, Surrogate's Court, Kings County, State of New York, Docket No. 3125-1943.	2,420.01	do	14.00		
Nicola Laricchiuta	do	SameS	2,430.61	do	14.00		
Marie Laricchiuta	do	Same	2,420.01	do	- 14.00		
Giovanna Laricchiuta	do	Same O Rem 7	2,490.02	do	14.00		
Isabella Giarratano	do	Item 8 Estate of Rosalia Russo, also known as Rosalia Russo, decrased. Supregate's Court of Kings County, Brooklyn, N. Y., Court Docket No. 223-57.	194,63	do	25.(0		
- Margherita Milese	do	Item 9 Estate of Domenick Milese, deceased, New York County. Surrogale's Court, N. Y., Index No. A447/1943.	12,657.29	do	163.60		
Josephine Loenti	do	Item 19 Estate of Antonia Leonti, deceased, Sur- regate's Court, New York County, N. Y., Docket No. A-1148-1943.	1,930.62	dbbb	70.00		
Mary Knight Masen	do	Item II Estate of Annie H. Thomas, deceased, Surregate's Court, New York County, N. Y.	4:3,73	db	75.00 *		
Giovanni Besutti	do	Estate of Charles Polifeme, afk'a Carlo Polifeme, deceased, Eurregate's Court, New York County, N. Y., Index No. P243-1943.	1,000.00	do	\$5.00		
Santina Besutti	do	Same	1,070.00	do	96.00		
Esther Batelman	Russia	Estate of Becky Pollak, decrard, Surro- gate's Court, New York County, N. 17., Docket No. Prid-194.	C2S.42	d9	155.09		
Minnie Glazer	do	Same	473.00	do	77.00		
Pessie Kreitstein	do	Same	423.00	do	77.00		
Anna Paskar	do	Same	- 432'00	eb	77.00		
Pincus Schwartz		Same18	423.00	do	77.09		
Eugen Heumann	France	Hern 10 Estate of Simon Heumann, decreesed, Surregate's Court, County of Kings, Now York, N. Y.	3,253.63	do	55.00		

¹ Approximate.

[Vesting Order 8914]

GEORG AMMON ET AL.

In re: Stock owned by Georg Ammon and others.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals listed in subparagraph 3 hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)
2. That Gustav Kunze, Jr., G. m. b. H.,

the last known address of which is Berlin Tempelhof. Oberlandstrasse 104-107. Germany, is a corporation, partnership,

association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany)

3. That the property described as follows: One hundred and fifty seven (157) shares of \$100.00 par value common capital stock of The Baltimore and Ohio Railroad Company, Baltimore & Charles Streets, Baltimore 1, Maryland, a corporation organized under the laws of the States of Maryland and Virginia, evidenced by the certificates listed below, registered in the names of the persons listed below in the amounts appearing opposite each name as follows:

Registered owner	Certificate No.	Number of shares	OAP file No.
Georg Ammon Willy A. Boerner. Ferdinand Essinger. Friedrich Grall. Johann Hock S. Jaffa Alfred Jurgens. Arno Lineke. Mathias Linsenmann. Miss Marianne Lotzsch. F. W Maas. Dr. Katherine Scheele. Walther Schoeller. Gustav Kunze, Jr., G. m. b. H.	A-371802 A-481222 A-482233 D-185665 A-275594 A-339019 A-374659 D-284664 D-284665 D-284666 D-284667 D-284668 A-400473 A-340543 D-340545	3 5 5 5 5 2 2 3 10 5 4 5 10 10 10 10 10 10 30	F-28-23487-D-1. F-28-23489-D-1. F-28-23492-D-1. F-28-23492-D-1. F-28-23492-D-1. F-28-23492-D-1. F-28-23493-D-1. F-28-23493-D-1. F-28-23493-D-1. F-28-23493-D-1. F-28-23493-D-1. F-28-23493-D-1. F-28-23501-D-1. F-28-23502-D(1. F-28-23502-D(1. F-28-23494-D-1.

together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany).

and it is hereby determined:

4. That to the extent that the persons listed in subparagraph 3 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director

[F. R. Doc. 47-4704; Filed, May 19, 1947; 8:51 a. m.]

[Vesting Order 8917]

SUZU FUJITA

In re: Bonds owned by and debt owing to Suzu Fujita. F-39-1509-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Suzu Fujita, whose last known address is Yokohama, Japan, is a resident and a national of a designated enemy country (Japan),

2. That the property described as

follows:

a. Two (2) 2%% United States Treasury Bonds, of \$100 face value, bearing the numbers 6017H and 121833C, due March 15, 1960, registered in name of bearer, and presently in the custody of National Savings and Trust Company, Fliteenth Street and New York Avenue, Northwest, Washington 5, District of Columbia, together with any and all rights there-

under and thereto, and

b. That certain debt or other obligation owing to Suzu Fujita, by National Savings and Trust Company, Fifteenth Street and New York Avenue, Northwest, Washington 5, District of Columbia, in the total amount of \$1,522,19, as of March 24, 1947, representing principal in the sum of \$1,386.19 and income in the sum of \$136.00, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director

[F. R. Doc. 47-4706; Filed, May 19, 1947; 8:51 a. m.]